

Statement of
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Bureau for Food and Humanitarian Assistance
Agency for International Development
before the
Commission on Security and Cooperation in Europe
January 25, 1993

Mr. Chairman, I am pleased to testify today before this Commission regarding the state of humanitarian relief efforts in the former Yugoslavia, especially Bosnia-Herzegovina. Continued hostilities in Bosnia-Herzegovina have left an estimated 1.4 million people displaced. The humanitarian situation remains critical throughout Bosnia-Herzegovina as the combination of continued fighting, Serb strangleholds on regional towns, and deepening winter increases deaths and suffering.

Both Secretary of State Warren Christopher and Deputy Secretary-designate Clifton Wharton, in their recent confirmation hearings before the Senate Foreign Relations Committee, spoke about the situation in Bosnia-Herzegovina which has "horrified the world." Secretary Christopher correctly pointed out that there are "very few angels in that endeavor; no one of the parties is blameless. But the Serbian activity seems to be the most outrageous, and calls for some early attention." Dr. Wharton stated that the situation in Bosnia is "one which is very high, if not the highest on our agenda at the present time."

The Agency for International Development (A.I.D.), through the Office of Foreign Disaster Assistance (OFDA), is charged with coordinating the U.S. Government's response to disasters abroad and for coordinating the activities of U.S. private and voluntary organizations and the international community to ensure that efforts are complementary and not duplicative. I have provided as an attachment to my written statement a copy of the OFDA Situation Report which describes in some detail the current situation in former Yugoslavia, U.S. Government emergency assistance for fiscal year 1991 to date, and assistance provided by U.S. voluntary agencies and the international community.

As the Director of OFDA, I traveled to Bosnia-Herzegovina last November and had the opportunity to assess firsthand the human needs there and the operation of relief efforts. We have had staff on the ground in former Yugoslavia continuously since early last year and I will summarize for the Commission the results of our observations and activities.

The first step in providing humanitarian assistance after a disaster is to carry out an assessment at the scene, which will give an indication of the extent of damage, the number of people

affected, and the kinds of needs that require an immediate or longer-term response. The next step is the procurement, shipment, and delivery of relief supplies.

In most natural disasters occurring in countries that request outside assistance, problems of access are limited to the secondary effects of the disaster--for example, roads may be blocked due to landslides after an earthquake, or airports may be flooded or navigational aids destroyed after a cyclone. While such problems of access may cause critical delays in the delivery of relief supplies, they can usually be overcome in a few days.

Such is not the case, however, in many of the complex international disasters involving civil strife to which OFDA has been responding in recent years. Lack of access because of fighting, lawlessness, and the general breakdown of the social structure has become the major constraint to the delivery of relief supplies. And the problems of access can persist over many months, as we have seen in Somalia and Bosnia-Herzegovina.

Problems with security prevent not only the delivery of supplies but also the conduct of reliable assessments. The difficulties of delivering relief supplies in a war zone and the problems of targeting for relief those most vulnerable are reflected in the recent press reports on the elderly persons in a nursing home in Sarajevo who died of hypothermia. It is important that the international community reassess its efforts in former Yugoslavia to be sure that the most vulnerable members are the focus of its efforts. For this to happen we need access; access to assess the needs and access to deliver supplies.

In fact, the situation in Bosnia-Herzegovina may be best characterized as a crisis of access. This is not a situation where there are too few relief workers on the ground, too few tents or food supplies. People are dying in the hills of Bosnia now for one dramatically simple reason: men with guns are denying access to these victims.

In the former Yugoslavia, or more specifically in Bosnia-Herzegovina where fighting among ethnic groups has created the worst humanitarian crisis in Europe since the second world war, security concerns have seriously hampered the response. Roads are routinely blocked and convoys shelled by combatants. Logistical problems have also hindered the relief effort, with roads, bridges, and rail lines needing repair to make some routes passable and winter snows blocking roads in the higher altitudes.

Despite the overwhelming problems of access in Bosnia-Herzegovina, the international community has made a concerted effort to reach the victims of this cruel war--those who have been displaced from their homes and those who remain in grave need in the capital city of Sarajevo and other besieged cities and towns.

The Office of the United Nations High Commissioner for Refugees (UNHCR) was designated the lead agency for this crisis, and the International Committee of the Red Cross (ICRC), as a neutral intermediary, has been acting in its traditional role of providing protection and medical assistance, as well as distributing family parcels. In recent weeks, the ICRC has been permitted to visit prisons and has secured the release of over 5,500 detainees.

The International Rescue Committee (IRC), a New York based non-governmental organization partially funded by grants from A.I.D. and the State Department, has also played a coordinating role in the relief efforts especially in the area of winterization. IRC, for example, is currently working to establish an inter-agency effort to transport 1,000 metric tons of coal per week into Sarajevo from Zenica. Each step of the delivery process must be negotiated with the Bosnian Serbs who control access to Sarajevo. Initial efforts to deliver kerosene along with the coal were rejected by the Serbs. To prove to the men with guns that no weapons are hidden in the fuel, coal must be pulverized and bagged before delivery will be allowed into Sarajevo, further delaying and complicating the relief effort.

A.I.D. and other agencies of the U.S. Government have responded generously to assist the victims of war in Bosnia-Herzegovina, providing over \$162 million of assistance through grants to multilateral agencies, such as UNHCR, ICRC, the U.N. Children's Fund, and World Health Organization, and through U.S. private voluntary agencies. The State Department's Bureau for Refugee Programs has provided over \$60 million in monetary assistance. Public Law 480 Title II food assistance of almost \$30 million has also been committed. U.S. planes continue to lead the air bridge into Sarajevo delivering life-saving supplies of food, blankets, and winterization materials. A.I.D. has allocated over \$50 million for this emergency to date to carry out this relief program. OFDA has put in place a seven-person Disaster Assistance Response Team to better manage our relief efforts.

Congress has provided strong support and direction in this effort. In October, the Congress earmarked \$35 million from the Migration and Refugee Assistance Account to assist Bosnian refugees. An additional \$20 million of Foreign Assistance Act dollars was earmarked for private voluntary organizations for fuel, construction materials, heating units and food for the people of Bosnia-Herzegovina, Croatia and Kosovo.

With the onset of harsh winter weather in the Balkans, the provision of winterization supplies became a top priority, because Bosnian Serbs had cut off normal heating sources in Sarajevo and larger cities. Much of the U.S. Government's assistance has focused on winterization. For example, A.I.D. contributed plastic

sheeting to repair roofs, walls, and windows and sent 10,000 stoves and fuel containers. A.I.D. resources are also being used to manufacture winterization materials such as plastic for windows and portable heaters and stoves right in Bosnia-Herzegovina. The U.S. Department of Defense has provided excess property snow-clearing equipment and other vehicles and ambulances, as well as winter clothing and almost 9 million Meals Ready to Eat.

OFDA has targeted its efforts on providing relief to the most vulnerable people inside of Bosnia-Herzegovina, especially those in urban areas who have little capacity to grow their own food, provide their own heat or, because of shelling, are unable to leave their residences without risking their lives. Our efforts have been centered on winterization of existing structures which were the victims of shelling or shooting by providing transparent plastic to cover windows, heavy duty plastic to cover small holes in roofs and walls, heaters, stoves and fuel. We are also providing funds to purchase supplemental foods as a source of high energy protein, especially for those who are unable to cook or who have small children and, because of the conflict, lack many basic nutrients in their diets.

In addition to the efforts of the international community to provide assistance, many indigenous relief organizations such as Merhamet, Caritas, Dobrotvor, and the Red Cross have provided much life-saving assistance and have done so with little fanfare. These organizations are reaching isolated places in eastern Bosnia-Herzegovina where U.N. convoys have been few and far between. Our field representatives are working with many of these organizations to improve their distribution systems and capacities to deliver relief commodities.

Recent news reports on humanitarian relief in Bosnia-Herzegovina have focused on reports of A.I.D.'s contract field representatives, and I would like to summarize the results of their findings.

Tom Brennan spent four months--from July 23 to November 23--in the former Yugoslavia, traveling on seven different occasions to various areas inside of Bosnia-Herzegovina. Mr. Brennan's final report to OFDA included two main recommendations; that the U.N. begin immediately to use the railroad to transport relief supplies from Rascani to Sarajevo and onward to Zenica; and that the U.N. assume responsibility for the rehabilitation, operation, and maintenance of utilities--electricity, natural gas, and water--in Sarajevo.

In December, Bill Stuebner traveled into eastern Bosnia-Herzegovina to attempt to assess the situation first-hand in one of the Muslim-held "pockets" of resistance behind Bosnian Serb lines.

Mr. Stuebner, on the way to Gorazde, visited displaced persons

centers in Jablanica and Tarcin, finding overcrowded conditions and poor sanitation, but sufficient food to enable the people to survive the winter. A hospital in Suhadol was treating mainly civilian casualties and lacked sufficient surgical equipment and medicines.

Mr. Stuebner joined a convoy, by foot and horse, heading for Gorazde and spent 13 hours climbing over treacherous terrain under cover of darkness until the convoy reached its destination. The people in the convoy, ranging in age from 12 to 62, were carrying loads from 35 to 90 pounds in weight. Convoys such as this were making the dangerous trek over the mountains three times a week, providing the bulk of food and other supplies being used in the Gorazde area. Infrequent U.N. convoys supplemented the relief supplies but would not have been sufficient to keep the population alive. The weight records of babies born in the local hospital which Stuebner examined showed a dramatic drop of birth weight since the war began, and the infant death rate had increased significantly because poorly-nourished mothers were unable to nurse their babies.

While in Gorazde, Mr. Stuebner learned of a remote enclave called Zepa, with a population of 30,000, which had been completely cut off from relief assistance since the beginning of the war. A U.N. convoy has since reached this town. However, efforts to deliver relief supplies to Zepa were met with delays, tying up relief workers and trucks for days while U.N. officials negotiated with local militiamen to allow access. Meanwhile the people of Zepa continued to suffer. A U.N. convoy was subsequently prevented from reaching Cerska, another isolated enclave in eastern Bosnia-Herzegovina, and the U.N. is now prevented from reaching Sebenica.

I am sorry Mr. Brennan and Mr. Stuebner were not able to join me here today, since both have very recent impressions from on the ground. However, both have returned to rejoin the DART team to ensure that the maximum amount of relief reaches victims in the former Yugoslavia.

As Secretary Christopher stated during his recent confirmation hearing, "Europe and the world community in general must bring real pressures, economic and military, to bear on the Serbian leadership to halt its savage policy of ethnic cleansing." In the meantime, however, the world cannot sit by and watch the human suffering that is occurring in this war-torn region. Relief organizations such as the ICRC, International Rescue Committee and others have made heroic efforts under very difficult and dangerous conditions to assist the victims of this tragic man-made disaster. Secretary Christopher, later during his confirmation hearing, amended his earlier remarks to note that "There are some angels, the relief organizations, the people trying to accomplish the feeding, the U.N."

The U.S. Government will continue to provide emergency relief to those in need, to support the efforts of the non-governmental organizations and the U.N., and work to develop new techniques to overcome this crisis of access in the former Yugoslavia. If the issue of access is not addressed forcefully and effectively by the international community, there will remain serious shortcomings in our humanitarian relief program and the innocent will continue to suffer and die.

AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, D.C.

OFFICE OF U.S. FOREIGN DISASTER ASSISTANCE
(OFDA)

SITUATION REPORT NO. 8 4:00 p.m. January 22, 1993

Note: New information since the last situation report, dated November 23, 1992, is underlined.

FORMER YUGOSLAVIA- CIVIL STRIFE

Date: June 1991 and ongoing

Location: All republics of the former Yugoslav nation are affected, but fighting has been most intense in Croatia and Bosnia-Herzegovina (B-H).

No. Dead: An estimated 10,000 in the six-month conflict (June 1991-January 1992) in Croatia; 17,000 have died in the fighting since March 1992 in B-H (media reports on Dec. 6); Bosnian official sources put the death toll between 150,000-200,000

No. Affected: Over 5 million displaced people, refugees, and people in need within the former Yugoslavia (UNHCR assessment); 1.4 million of the total displaced are in B-H (UNHCR assessment)

Total USG Assistance: \$162,805,279

Background

Since June 1991, warfare between the nations of the former state of Yugoslavia has taken a severe toll in lives, displaced large populations, caused psychological trauma for a generation of children, and inflicted enormous damage to property and infrastructure.

Six-months of fighting between Serbs and Croats followed the June 1991 declaration of independence by Slovenia and Croatia. A cease-fire was agreed to in January 1992 and a U.N. peace-keeping force was deployed in April to areas of Croatia still controlled by Serbs.

Inter-ethnic fighting flared anew in the still smoldering Yugoslav war after the republic of Bosnia-Herzegovina (B-H) voted for independence on February 29, 1992. The majority of the republic's population, made up of Muslims (44%) and Croats (17%), voted in favor of independence. Most ethnic Serbs (31% of the Bosnian population) boycotted the independence vote, while Bosnian Serb leaders called for a separate Serbian republic of Bosnia and Herzegovina. Since early April 1992, Bosnian Serb secessionists backed by the Yugoslav military, Serbian paramilitary groups, and by

Serbia have applied force to create such a Bosnian Serb republic and to exterminate or expel all non-Serbs from its territory.

The European Community (EC) recognized the sovereignty of Croatia and Slovenia in December 1991, and of Bosnia-Herzegovina in April 1992. The United States announced recognition of all three republics in early April. Macedonia, a fourth former Yugoslav republic that has also declared its sovereignty, has not yet received widespread international recognition. Serbia and Montenegro, which remain allied, have proclaimed the establishment of a new, truncated Yugoslav state, whose claim to be the continuity of the former Yugoslavia is rejected by the U.S. and has not been generally accepted by U.N. members. The United Nations voted on September 18 to deny Serbia and Montenegro the old Yugoslav seat in the U.N., asking them to reapply as a new nation.

To protest Serbia's aggression against Bosnia-Herzegovina, the United States and EC countries recalled their ambassadors from Belgrade in mid-May. On May 30, the U.N. Security Council voted to impose economic sanctions on the Yugoslav federation of Serbia and Montenegro. The U.N. passed UNSCR 787

on Nov. 16 which authorizes the interdiction and search of ships and barges on the Danube River and Adriatic Sea destined for Serbia and Montenegro.

General Situation

Despite numerous cease-fire agreements, fierce fighting has continued in the capital of Sarajevo and other parts of B-H. The stream of displaced people seeking refuge in other republics and other European countries has grown steadily. Civilians still remaining in Sarajevo and other B-H cities and villages have been cut off from normal supply routes to provide desperately needed aid. Persistent reports of massive violations of human rights, including torture, rape, intimidation, and harassment of populations in the process of "ethnic cleansing," and atrocities committed in detention centers have provoked international outrage.

UNHCR, UNICEF, ICRC, and others have managed to truck supplies to accessible areas in B-H; however, the relief effort has been hindered by security concerns and logistics constraints. ICRC is carrying out activities in Bihać, Banja Luka, Mostar, Zenica, Bijeljina, Tuzla, Trebinje and other affected towns and is also providing assistance to 46 hospitals and health centers in B-H. ICRC delegates are visiting detention centers in B-H to investigate conditions and assisting the release of detainees from the camps. As of the end of 1992, ICRC had transferred about 5,540 detainees to safe areas. ICRC and UNHCR have appealed to donors to make offers of temporary protection for ex-detainees. Unfortunately, in spite of these appeals, the ICRC has severely curtailed this operation because of a lack of available temporary homes for detainees and their families in other countries.

To provide needed supplies to Sarajevo and other regions in B-H cut off from normal access, UNHCR is attempting to carry out a comprehensive land convoy system, with regular visits to accessible distribution points. However, widespread fighting and hostile populations along convoy routes often hinder these efforts. The military often appropriates portions of relief supplies. Large Muslim population centers are routinely encircled by Serb irregulars, making it difficult to provide relief. Logistical problems are also hindering the effort: roads, destroyed bridges, and tunnels must be repaired to make some routes passable, and some routes over minor roads at high altitudes are more difficult because of winter weather conditions. Most convoys have originated in Zagreb or Split, in Croatia. However, UNHCR has recently opened a new

warehouse in Metkovic (near the port of Ploče) to provide relief supplies to Central Bosnia. UNHCR has redeployed some of its vehicle fleet to Belgrade and has established a secondary assistance center there, which services refugees within Serbia and has provided some relief to Sarajevo, UNPA, and eastern Bosnia. In late November, U.N. convoys were successful in delivering relief assistance to Srebrenica and Gorazde in Eastern Bosnia. Srebrenica received its first delivery since being cut off by fighting in April 1992. A UNHCR convoy was also sent to Zepa and eventually arrived with 80 metric tons of food and medical supplies on January 17.

Also critical to the delivery of desperately needed relief supplies for the 380,000 or more residents of Sarajevo and suburbs trapped by the fighting was the reopening of the Sarajevo airport, which occurred on June 27, under a U.N.-negotiated agreement. U.N. Protection Forces (UNPROFOR) have been in place to shore up security for U.N.-sponsored flights. Zagreb and Split are the staging points for the U.N. flights. Shelling has continued near the airport and elsewhere in the city, forcing the suspension of the airlifts from time to time, the longest period occurring after an Italian relief aircraft was shot down on Sept. 3. Flights did not resume until Oct. 3. A U.S. C-130 was hit by small arms fire on Dec. 1, suspending UNHCR airlift operations between Dec. 2 and Dec. 21 because of continued fighting in and around Sarajevo and the airport. Between July 3 and January 13, 1993, more than 2,150 sorties have delivered approximately 24,000 MT of relief supplies, including food, MREs, medicine, blankets, and plastic sheeting. A U.S. European Command assessment team has determined that despite these heroic efforts present deliveries by air and land convoys are leaving a major shortfall. The food pipeline for the January-March period has improved significantly with the recent pledge of the EC. The additional installment from the EC of \$14.6 million will permit the World Food Program (WFP) to purchase 19,195 MT of urgently required food. Significant bilateral pledges through NGOs have also been confirmed.

The U.N. Security Council approved UNSCR 781 on Oct. 9 to impose a "no-fly zone" over B-H for all but relief flights. The resolution also called for the placement of observers at airfields to monitor compliance. Bosnian Serbs are reportedly violating the "no-fly" order. The United States, Britain, and France are requesting the U.N. Security Council to reconsider

its position on enforcing the "no-fly zone" resolution. The Serbs have not flown any combat flights recently, but they do continue to transport soldiers, supplies and the wounded by fixed-wing aircraft and helicopters.

The siege continues in Gorazde, Bihac, Maglaj, Tuzla, Srebrenica, Travnik, Zepa, Gradac, and other towns in eastern and northern B-H that are resisting Serbian control. Bosanski Brod was captured on Oct. 6, and Jajce fell to Serb forces on Oct. 30, forcing a further exodus of about 40,000 non-Serbs. Possibly as many as 15,000 displaced persons from Jajce fled to Travnik, and the Red Cross reported that 7,000 people from Jajce had arrived in Tomislavgrad. Relief agencies have provided assistance for the displaced in Travnik. However, the city is coming under attack by Serb irregulars. Serb forces now control 70% of B-H.

Cease-fire violations have also continued in Croatia, with Slavonski Brod, Vinkovci, Gospić, and the Zadar and Zadar areas under sporadic attack. According to official sources, Croatia supports 700,000 registered refugees and displaced persons. About half of the registered refugees and displaced people are being sheltered by host families. The remainder are living in hotels, camps, rehabilitated buildings or settlement communities. The Croatian government has announced that it will not accept any more refugees from B-H except those who are transiting to other countries.

The need to provide adequate shelter throughout the former Yugoslavia has become a top priority with the onset of winter. "Without help," according to the UNHCR, "many people within the former Yugoslavia will die from starvation or exposure this winter, or will be forced to seek refuge outside the region." The United States has responded to a UNHCR request to provide 1.5 million blankets for use by refugees and displaced persons throughout the region. The blankets were delivered by DOD to Belgrade (400,000), Zagreb (600,000) and Metkovic (500,000) for distribution.

Few homes in Sarajevo have windows or a source of heat. The DOD has provided 125 tons of plastic sheeting since the beginning of the Sarajevo airlift to help winterize the city and surrounding areas. Serb forces have cut off natural gas, which heats Sarajevo. The disruption of public utilities is a serious threat to the survivability of the population during the winter. The highest priorities in Sarajevo are fuel for heating and warmth items such as sleeping bags, blankets, clothes, and stoves. Temperatures have dropped to a

regular fourteen degrees Fahrenheit at night and do not rise above freezing during the day. UNHCR intends to start importing firewood and possibly coal. However, deliveries cannot be guaranteed. OFDA has provided 10,000 kerosene-burning heaters and five-gallon jerry cans for distribution in Bosnia. The shipment of liquid fuel and distribution still remains a problem. Health conditions in Sarajevo are reportedly deteriorating due to the lack of water and sanitation, with outbreaks of typhoid, scurvy, and jaundice reported.

The U.N. has proposed a two-pronged approach to address shelter needs: the rehabilitation and upgrading of existing structures where practicable, and the establishment of refugee camps. Twenty camps are projected for Croatia, with sites identified for another 20 for contingency purposes. Some housing assistance may be forthcoming, as the United Nations Industrial Development Organization (UNIDO) on December 26 approved a \$7.3 million project to construct prefabricated buildings to house refugees in Croatia. The UNHCR shelter projects in B-H include: 1) shelter repair kits; 2) construction of pre-fab units; 3) rehabilitation of existing "collective facilities," and 4) winterized tents. Continued fighting is disrupting the implementation of this plan.

UNHCR convened an international meeting on July 29, focusing on humanitarian assistance to the former Yugoslavia. The first meeting of the Follow-up Committee sent an inter-agency team to the former Yugoslavia from Aug. 9 to 16 to assess needs. A new consolidated U.N. appeal, based on the team's findings was announced at the second meeting of the Follow-up Committee on Sept. 4 in Geneva. The overall needs for the period September 1992 to April 1993 were estimated at over \$1 billion. The U.N. appeal was for \$434,165,800 to cover life-threatening priority needs (food, shelter, medical services) to be addressed by the United Nations system and other humanitarian organizations. A new U.N. appeal has been issued, based on a revised budget of \$642,493,793 through March 1993. The World Food Program (WFP) has taken over from UNHCR the mobilization of food resources. WFP assesses total food requirements for refugees in need of food assistance for the period January-March 1993 at 175,466 MT. Pledges as of December 31, 1992 totaled 149,892 MT. On Aug. 13, the U.N. Security Council authorized the use of any necessary means to guarantee the delivery of relief supplies to civilians. A separate resolution demanded free access for ICRC and others to all camps

in Bosnia and humane treatment for all those detained. The U.N. Human Rights Commission, in an emergency session on Aug. 14, sent a representative to Bosnia to investigate reported atrocities. An international conference on the former Yugoslavia (ICFY) was held in London Aug. 26-28, co-chaired by the United Nations and the European Community. Despite apparent progress in the talks, in the Bosnian Serbs' promise to put heavy arms under international control and to yield some territory, the fighting has continued in B-H. Another outcome of the conference has been an enlarged U.N. peacekeeping force to protect relief convoys and monitor an arms embargo. There are now 22,170 U.N. peacekeepers in the former Yugoslavia.

On December 20, Serbia held its presidential and parliamentary elections. The two candidates running for Serbian President seemed to offer a clear choice between war and peace. President Slobodan Milosevic campaigned on support for ethnic Serbs in Bosnia and Croatia. His challenger, Yugoslav prime minister Milan Panic, promised to bring immediate peace to the region. Milosevic received 55 percent of the vote while Panic received 35 percent according to official returns, although many irregularities occurred in the voting. In parliamentary elections, hard-line Serbian nationalist parties captured roughly 20 percent of the vote.

Tensions and fingerpointing have escalated in Bosnia because of the assassination of Bosnian Deputy Prime Minister Hakija Turajlic, a Muslim, by a Serbian soldier in Sarajevo on January 8. While being escorted from the Sarajevo Airport, by U.N. soldiers in an armed personnel carrier, Turajlic was shot several times at an unauthorized checkpoint on a demilitarized road. Efforts are underway to interrogate all personnel who were at the scene of the assassination. It is not known how the rear doors of the bullet-proof vehicle were opened, thus making Turajlic vulnerable to such an attack. The United Nations commander in Bosnia admitted that his soldiers failed to provide adequate security to Turajlic.

The ICFY conference reconvened on January 2 under the leadership of Cyrus Vance, the U.N. representative, and Lord David Owen of the EC in Geneva, Switzerland. A peace plan calling for the establishment of a decentralized state in B-H was introduced. The nation would be divided into 10 provinces with political power balanced among Serbs, Croats, and Muslims.

Bosnian Serbs would not be permitted to create a sovereign state within B-H. The Vance/Owen proposals are still under negotiation.

Assistance Provided by the U.S. Government
(Note: Please see Situation Report No. 6 (Oct. 9, 1992) for a detailed description of U.S. government assistance during FY 1991 and FY 1992.

FY 1993

In October 1992, the U.S. Congress earmarked \$35 million from the Migration and Refugee Assistance Account to assist refugees in Croatia, Slovenia, and B-H. An additional \$20 million was made available to PVOs for donations of fuel, construction materials, heating units, and food for the people of B-H, Croatia, and Kosovo. RP is administering the \$35 million, and the \$20 million will be obligated by OFDA.

OFDA commitments to date, in FY 1993, include an airlift of 1,160 rolls of special order plastic sheeting suitable for windows, and additional transport costs for 10,000 heating stoves. In November, OFDA arranged to send a second consultant to assist with operational aspects of the U.S. participation in the humanitarian relief effort. OFDA also sent two experts to assess the feasibility of using excess DOD Bailey bridging on the road/rail route from the B-H port of Ploce to Sarajevo. A grant to VITA was increased in December for the assessment and implementation phases of UNHCR's Logistics Management System. OFDA is also funding a technical support position for the VITA grant with UNHCR.

OFDA dispatched a disaster assistance response team (DART) to Zagreb on Dec. 12 to manage the refugee/displaced persons assistance programs and to monitor the distribution activities of UNHCR, NGOs, and international donors. The DART consists of team leader Rene Carrillo, an information officer, an administrative officer, a military liaison officer, a refugee/displaced persons specialist, and a field consultant. Tom Brennan and Bill Stuebner, the DART field consultants, traveled to B-H to assess humanitarian needs. The DART will coordinate OFDA activities and other humanitarian initiatives throughout former Yugoslavia.

The administrative and equipment costs for sending a DART to Zagreb are recent expenses incurred by OFDA. Two bridge experts were also sent by OFDA to assist in the installation of the Bailey bridging between Ploce and Sarajevo. One OFDA consultant was used to monitor the distribution of MREs and to provide assistance to victims in B-H, Croatia, and Kosovo. Two additional OFDA grants have been allocated but not obligated. The American Red Cross is to provide food, hygiene, and baby parcels to IFRC and ICRC in B-H with one of the grants, and the other grant to IRC is to provide winterization materials in B-H. Funds have also been obligated to support DART emergency relief programs in Croatia and B-H.

As of Jan. 13, RP has programmed \$26,137,455 million of the \$35 million, distributed to the following international organizations: UNHCR \$10 million; ICRC \$3 million; IFRC \$2 million; UNICEF \$3 million; U.N. World Food Program \$1 million; WHO \$2 million; and IRC \$5,137 million.

The Office of Food for Peace (FFP) has committed \$20 million worth of food commodities and transport costs for the relief effort in FY 1993. The initial \$10 million was provided for the purchase and transport of 20,079 MT of food for B-H, Slovenia, Croatia, and Macedonia. This entire \$10 million in food assistance has been programmed through the American Red Cross, working in conjunction with ICRC, IFRC, Church World Service, and the Brother's Brother Foundation. The bulk of the commodities provided were wheat flour, vegoil, beans, wheat, rice, and cornmeal.

Of the remaining \$10 million in 1993 FFP assistance, \$3.57 million has been approved for Catholic Relief Services (CRS) to monetize 12,124 MT of wheat and use most of the local proceeds to winterize and operate refugee camps in Macedonia. The remainder of the funds obtained from monetization will be used for the direct feeding of Macedonian refugees. AID has several programs under funding consideration with the remaining \$6.4 million in FY 1993.

Since October 1, 1992, DOD has provided 580 MT of clothing worth \$4.5 million; sleeping bags valued at \$158,000; 2 million MREs valued at \$9.2 million; and heavy equipment, vehicles, and miscellaneous equipment valued at \$2,134,100. DOD has also delivered four Bailey bridges, together with the necessary equipment to construct them, valued at approximately \$500,000.

Summary of USG Assistance

FY 1991

Total RP \$1,000,000

FY 1992

Total FHA/OFDA \$3,760,201
Total RP \$33,632,138
Total DOD \$44,849,574
Total A.I.D. Europe Bureau (funded) . \$619,900
Total FHA/FFP \$9,350,000
TOTAL FY 1992 \$92,331,813

USG Assistance in FY 1993

OFDA Assistance

OFDA plastic sheeting and transport (B-H) {estimated replacement value} \$306,600

Purchase and airlift of transparent plastic (B-H) \$471,000

Transport costs for 10,000 stoves (B-H) ... \$345,740

Administrative costs of OFDA consultant ... \$118,789

Additional costs of OFDA contractor \$440

Administrative costs of bridge experts (B-H) .. \$27,104

Grant to VITA for commodity tracking system \$187,531

Technical support for UNHCR's logistical management system \$18,325

Computer laptops & adaptors for DART ... \$10,160

Administrative costs of OFDA consultant to monitor MRE distribution and to assist emergency victims \$31,107

Administrative costs of DART team leader and two DART members \$121,838

Grant to IRC (allocated) \$5,500,000

Grant to American Red Cross (allocated) .. \$1,442,985

Additional costs of bridge experts (B-H) \$92,292

Funds to support DART emergency relief program \$100,000

RP Assistance

Grants to UNHCR, ICRC, IFRC, UNICEF,
WFP, WHO, and IRC (B-H, Croatia,
and Slovenia) \$26,137,455

FFP Assistance

Food commodities and transport \$13,570,000

DOD Assistance

Value of 580 MT of clothing/blankets \$4,500,000

Value of 2.0 million MREs \$9,200,000

Value of sleeping bags \$158,000

Value of 17 pickup trucks \$267,700

Value of 10 utility trucks \$170,200

Value of 8 ambulances \$152,000

Value of 17 1.5 kw generators \$13,600

Value of flak vests \$36,700

Value of 1 fire truck \$40,000

Value of 70 MT of urea \$51,400

Value of 3 snow plows/trucks \$159,500

Value of 2 towed snow blast brooms \$122,700

Value of 3 Mercedes-Benz 5-ton dump trucks \$110,000

Value of Case front loaders \$68,400

Value of 2 motorized urea spreaders \$30,800

Value of 4 road graders \$224,000

Value of 1 towed urea spreader \$12,100

Value of pallet racks for Split airport \$175,000

Value of 4 Bailey bridge kits (shipped) \$500,000

Transportation and related costs \$5,000,000

Total OFDA \$8,773,911
Total RP \$26,137,455
Total FFP \$13,570,000
Total DOD \$20,992,100
TOTAL FY 1993 \$69,473,466

TOTAL \$162,805,279

Assistance Provided by U.S. Voluntary Agencies
The private voluntary organizations have reported the following contributions:

Adventist Development and Relief Agency - sent food, blankets, medicine, baby food, and dried milk to Zagreb for distribution through 50 centers in Croatia. ADRA/Germany has sent relief supplies valued at \$2,000,000, and \$560,000 of relief supplies are expected to arrive soon in Bosnia-Herzegovina, including Sarajevo.

American Croatian Relief Project - sent 8 40-ft. containers and one 20-ft. container of food, clothing, medical supplies, and equipment to Croatia and B-H. ACRF estimates the value of the goods at about \$1,000,000.

American Jewish Joint Distribution Committee - flew an airlift of food to Sarajevo and worked with the IRC, Caritas, and others to distribute the food. AJJDC has purchased 2,000 square meters of hard plastic sheeting and 10,000 square meters of soft plastic sheeting to winterize broken windows in B-H. The shipment of plastic sheeting is expected to arrive in Split shortly.

American Red Cross - sent 2,500 food parcels to ICRC for distribution in B-H, and is accepting cash donations. ARC is currently seeking funds and determining new ways to assist the needy.

AmeriCares - has flown over 497 MT of relief supplies, as well as doctors and nurses, to the former Yugoslavia. Return flights have been used to evacuate wounded and orphaned children. A portion of the supplies were distributed to refugees from B-H in Hungary. AmeriCares estimates the value of the supplies transported on its 20 airlifts in excess of \$34,000,000.

AMURT (Ananda Marga Universal Relief Team) - has been channeling food, blankets, and clothes to Croatia and Bosnia through their units in Europe.

Baptist World Alliance - has provided funds for relief to the Baptist Union of Croatia, as well as food, seeds, plastic sheeting, and financial aid through other organizations. Distribution has been among refugees and displaced persons throughout Croatia and into Bosnia-Herzegovina. BWA has signed an agreement with A.I.D. and the Red Cross for over 1,000 MT of food assistance and is shipping 25,000 lbs. of seeds to Croatia.

Brother's Brother Foundation (BBF) - has sent or committed over 700 MT of food, medical supplies, winter clothing, and seeds, all valued at \$19,000,000, to Croatia, B-H, and Serbia. Consignees are the Baptist Union, the Serbian Orthodox Church, the Catholic Church of Croatia, and Merhamet, (a Bosnian Muslim NGO). On Aug. 13, BBF sent an ocean-going container of medical and other relief supplies to B-H, in cooperation with the Croatian Fraternal Union of America. In September and October, BBF shipped 470,000 pieces of winter clothing to Croatia and B-H, provided by U.S. DOD. BBF has agreed to a DOD request that they collect blankets, winter clothing, sleeping bags, etc. for a DOD shipment to the former Yugoslavia before the end of January.

CARE - delivered relief goods (medicine, food, and hygienic supplies) to the communities of Hrasnic, Tesanje, and Jajce in B-H in late August. CARE estimates the value of supplies provided since December 1991 to be \$1,200,000. CARE is striving to raise \$400,000 to continue feeding refugees in B-H.

Catholic Relief Services (CRS) - is working with UNHCR on winterizing refugee centers in Macedonia. Church World Service (CWS) - distributed \$70,000 worth of medicine and blankets with funds raised by a September 1991 appeal. CWS issued a second appeal and, as of Aug. 10, had sent an additional \$72,000 in contributions. In early August, CWS sent a shipment of medical supplies into Sarajevo in cooperation with the World Council of Churches and Lutheran World Federation. CWS also provided \$1,000,000 to UNICEF for blankets for children and is donating \$200,000 in Blanket Program funds for blankets for refugees in Serbia and Croatia. In cooperation with the American Red Cross, CWS sent \$2,024,000 in A.I.D. food to Lutheran World Federation (LWF) and others for distribution in Bosnia and Croatia. During early December, CWS transported \$1 million worth of medicines to hospitals and clinics in the former Yugoslavia. A \$3,000,000 emergency shipment of

medicines and medical supplies was sent by U.S. churches as a Christmas present to people in B-H. Distribution of the medicines to hospitals and clinics will commence after January 1, 1993.

Direct Relief International (DRI) - has completed six medical assistance shipments to Bosnia, Croatia, and Serbia. Medical supplies transported include antibiotics, analgesics, local anesthetics, burn cream, sutures, instruments, syringes, and surgical/first aid supplies to treat trauma wounds. The value of all medical supplies contributed is about \$150,000 and the six shipments sent have weighed approximately 1.75 tons.

Doctors of the World (American affiliate of Medecins du Monde) - in cooperation with the Harvard International AIDS Institute, established a vaccination project in Kosovo (an Albanian enclave in Serbia) to immunize 250,000 children in the area against polio and other childhood diseases. The project is supported by government agencies, foundations, corporations, and private individuals, including the Albanian Society of New York, UNICEF (\$100,000), Popper Foundation of Switzerland (\$70,000), and ICN- Galenika Pharmaceutical Co. (\$70,000). Negotiations are currently underway to open an international community health center for children in Ferizaj/Urosevac, Kosovo. The focus of the new medical facility will be to treat the infections of young children in the city and its surrounding areas. A training center for local public health doctors will also be contained in the facility.

Interchurch Medical Assistance (IMA) - has provided medicine and medical supplies to Croatia and Serbia through their member and associate-member programs.

International Medical Corps (IMC) - sent a fact-finding group to B-H to discuss with government officials the creation of an IMC trauma and emergency hospital and medic training program. IMC is in the process of seeking private sector funding.

International Orthodox Christian Charities (IOCC) - opened an IOCC office in Belgrade during December 1992. With private funding, IOCC acquired 600 metric tons of wheat flour from Hungary and expects to purchase and deliver 100 metric tons every ten days for displaced Serbs in Serbia and Bosnia. Medical supplies valued at \$1.5 million have also been delivered to those in need with the assistance of the Relief Commission of the Serbian Orthodox Church.

International Rescue Committee (IRC) - sent a team, funded by an OFDA grant, to the conflict areas to work with local and international agencies in the relief effort. IRC has been assessing for the Government of Croatia ways of housing the large number of refugees from B-H and conducting a building reconstruction program. IRC is also running a warehouse and food distribution program out of Split, as well as the overall monitoring of service delivery. IRC's winterization program involves contracts with local factories to provide stoves and plastic. The IRC Humanitarian Assistance Coordination and Operations office in Split allows NGOs to coordinate the distribution of relief supplies and information from assessment trips. Assessments have been done in central and eastern Bosnia, Macedonia, Dalmatia, and the Kosovo region.

Lutheran World Relief - has provided \$150,000 for emergency supplies for Croatia and B-H, including food, medicine, temporary shelter, and water pumping and well drilling equipment.

MAP International - has provided over \$7,000,000 worth of medical supplies for Croatia, B-H, and Macedonia. MAP has also delivered 12 WHO emergency kits to Croatia and Belgrade. MAP earmarked \$2,000,000 in medicine for an August shipment to B-H. A \$500,000 shipment of medical supplies is expected to be delivered in February.

Operation USA - airlifted \$158,000 worth of emergency medicine and clinical supplies to Sarajevo. Operation USA is working through Equilibre, a French NGO.

Project Hope - fielded a 3-person team from April 5 to 9, funded by an A.I.D. Europe Bureau grant, to determine medical needs in Bosnia-Herzegovina. On June 15, Project Hope shipped \$3,000,000 (\$600,000 funded by A.I.D.) worth of medical supplies to Medecins sans Frontieres in Zagreb for distribution in B-H. DOD provided air transport to Graz for one-half of the shipment.

World Relief (WR) - has contributed nearly \$45,000 to four Croatian Christian groups to provide soap, diapers, and toiletries for refugee families. In September, WR shipped over \$20,000 in personal care supplies to refugees in Ljubljana, Slovenia. Additional contributions in November permitted WR to deliver more than \$250,000 in medical supplies to those affected by conflict in Mostar. The distribution of all relief assistance shipped in September and November

was handled by Agape, the relief arm of the Evangelical Church of Croatia. WR is also helping partners in their efforts to provide personal care supplies and heating fuel to refugees in the Serbian cities of Novi Sad, Backi Petrovac, and Belgrade.

World Vision Relief and Development (WVRD) - is implementing a \$60,000 project that provides food, blankets, beds, medicine, and a truck through Agape. WVRD is providing 2,000 refugees in the city of Osijek, Croatia, warm meals daily through three feeding kitchens during the months between October 1992-March 1993. Other relief efforts by World Vision in Osijek include replacing and installing windows in buildings damaged by bombings, and the provision of blankets, medicine, medical supplies, and a truck.

Other organizations accepting donations for victims of the war in the former Yugoslavia include the American Jewish World Service, American Refugee Committee, Presiding Bishop's Fund/Episcopal Church, Unitarian Universalist Service Committee, and U.S. Committee for UNICEF.

Assistance Provided by the International Community

International Organizations

European Community (EC) - has attempted to mediate the conflicts by sending observers to crisis areas and sponsoring a peace conference. The EC had committed or pledged a total of \$388,085,000 for relief operations as of Dec 1. EC contributions are in kind as well as cash. EC food commodity pledges will total 95,849 MT during the January-March 1993 period. The EC has provided a task force to assist UNHCR with staff operating in B-H.

FAO - assesses overall supply and agricultural production in accessible areas of the former Yugoslavia.

International Federation of Red Cross and Red Crescent Societies (IFRC) - works with local chapters in non-conflict areas to complement the work of ICRC and UNHCR. The IFRC has 16 delegates in place supporting local societies. The IFRC is managing the protective shelters opened for ex-detainees in Karlovac, Croatia.

International Committee of the Red Cross (ICRC) - as a neutral intermediary, has worked in Yugoslavia since

mid-1991, acting in its traditional role of providing protection and emergency medical assistance, tracing missing persons, and disseminating information on international humanitarian law. The ICRC distributed over 5,000 MT of family parcels donated by Red Cross national societies, over 4,900 MT tons of bulk food, and 1,143 MT of non-food items, as well as 130 tons of medical supplies to hospitals. ICRC was assisting 367,513 beneficiaries in December and planned to increase its relief program to 500,000 beneficiaries by March 1992. A first ICRC appeal was launched on Sept. 9, 1991, and a revised appeal was issued on April 21, 1992. The latest appeal in October requested some \$39.8 million.

OPEC - provided \$100,000 for relief supplies for B-H to be administered by UNICEF.

UNICEF - has carried out a program in Bosnia-Herzegovina, providing milk for infants, vaccines, and emergency health kits to meet the needs of women and children. UNICEF donated \$250,000. Under the U.N. appeal, UNICEF is focusing on information programs, supplementary feeding programs, assistance to sick children, and vaccination programs. Several projects have also been implemented to deal with psychological trauma in children most severely affected by the conflict.

UNHCR - the designated lead agency, began a program complementing that of ICRC in November 1991. Working with people displaced by the war, UNHCR distributes food and other relief items and provides social services and transport and logistics assistance. UNHCR, as coordinator of humanitarian assistance in the field, has established 22 offices in the former Yugoslavia, with eight additional offices being planned.

UNHCR/UNICEF/WHO - launched joint appeals in December 1991 and April 1992. A joint U.N. appeal in May for over \$165 million superseded the April appeal. On July 29, the UNHCR convened an international meeting on humanitarian aid to the victims of civil strife in Yugoslavia. A Follow-Up Committee, consisting of a "core group" of governments and international agencies, was formed. The Follow-up Committee agreed at its first meeting to send an inter-agency team to assess the humanitarian needs in the former Yugoslavia. The assessment team's report was the basis for discussion at a UNHCR meeting in Geneva on Sept. 4, at which a new consolidated appeal for \$434,165,800 was announced. The appeal was revised

for a new total of \$642,493,793 for the period January-March 1993.

WHO - is carrying out a program to provide support for war traumatized children, to rehabilitate health services, to provide essential drugs, and to monitor the impact of the conflict on existing health infrastructure. WHO has provided UNHCR with health kits which will provide basic medical care for 20,000 people for three months, and has developed a health strategy, employing a team of specialists, to look at health problems in the former Yugoslavia. WHO has an area office in Zagreb and field offices in Belgrade, Sarajevo, Split, and Vitez

WFP - has taken over the procurement of food supplies which are subsequently distributed by UNHCR. WFP receives pledges from the EC and bilateral sources and makes purchases locally.

Governments

G-24 Governments had committed the following as of Dec. 1.

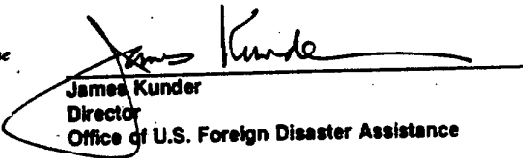
Australia - \$786,000
 Austria - \$23,175,000
 Belgium - \$6,256,000
 Canada - \$23,137,000
 Denmark - \$27,892,000
 Finland - \$2,493,000
 France - \$34,435,000
 Germany - \$71,051,000
 Greece - \$1,413,000
 Iceland - \$140,000
 Ireland - \$560,000
 Italy - \$36,495,000
 Japan - \$24,510,000
 Luxembourg - \$2,254,000
 Netherlands - \$22,792,000
 New Zealand - \$97,000
 Norway - \$25,627,000
 Portugal - \$438,000
 Spain - \$2,066,000
 Sweden - \$22,920,000
 Switzerland - \$32,465,000
 Turkey - \$4,113,700
 United Kingdom - \$58,510,000

Assistance from the above countries includes a snow-clearing team and a mobile surgical unit (France); plastic sheeting for shelter and funds to assist refugees in Croatia (Italy); a transport unit and winterization of a refugee camp in eastern Croatia (the Netherlands); shelter projects and trucks (Sweden); and trucks and drivers (United Kingdom). Some of the above countries are also contributing to UNPROFOR.

United Arab Emirates Red Crescent - sent 10 tons of medicine and 12 tons of food to B-H and supplied refugees in Croatia with locally-purchased medicine and food.

The following governments have also contributed to the relief effort in the former Yugoslavia:

Algeria - \$80,000 to the U.N. appeal
Cyprus - \$67,000 to the U.N. appeal
Czech and Slovak FR - \$25,000 to the U.N. appeal
Indonesia - \$100,000 to the U.N. appeal
 Iran - sent 15 truckloads of food and medical supplies for B-H.
 Liechtenstein - \$19,737 to UNHCR
 Malta - \$5,000 to the U.N. appeal
 Morocco - \$10,000 to the U.N. appeal
 Russia - plans to send technical experts.
 Saudi Arabia - sent four flights to Sarajevo, delivering more than \$27,000,000 in cash and several metric tons of food.
 Thailand - \$4,000 to UNHCR
 Tunisia - \$2,000 to UNHCR


 James Kunder
 Director

Office of U.S. Foreign Disaster Assistance

Non-Governmental Organizations

Agfund - \$400,000 to U.N. appeal
CR-Algerien - \$83,732 to U.N. appeal
Centre International Ecopera - \$60,000 to U.N. appeal
 European UNICEF Committees - \$572,584
 German Foundation for UNHCR - \$154,529
 Japan Committee for Refugee Relief - \$1,000,000
Japan Committee for WCRP - \$10,400 to U.N. appeal
 Medecins sans Frontieres is carrying out a program to monitor the health situation providing drugs and medical supplies to hospitals and other institutions and distributing food and first-aid supplies in B-H, Serbia, and Croatia.
 Organization of the Islamic Conference - has pledged several million dollars to B-H.
 Soroptomix International (Japan) - \$16,030
 Stichting Vluchteling (Netherlands) - \$594,012
 Private donations (Austria) - \$28,000,000 used to send relief trucks to B-H
 Private donations (Japan) - \$4,858 to UNHCR
 Private donations (Luxembourg) - \$303 to UNHCR
 Private donations (Switzerland) - \$194 to UNHCR

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The Humanitarian Crisis and the Medicolegal Investigation of War Crimes in the former Yugoslavia

Testimony of Eric Stover Physicians for Human Rights January 25, 1993

Before the U.S. Commission on Security
and Cooperation in Europe

Thank you, Chairman DeConcini and Chairman Hoyer, for holding this important hearing and for inviting me to testify. My name is Eric Stover, and I am Executive Director of Physicians for Human Rights, a nongovernmental organization of health professionals which uses the skills and expertise of the medical profession to investigate and prevent violations of international human rights and humanitarian law.

Physicians for Human Rights (PHR) is now engaged in three projects related to war crimes and the humanitarian crisis in the territory of the former Yugoslavia:

(1) In December 1992, a PHR forensic team began on-site investigations of mass graves in the former Yugoslavia, under the auspices of the U.N. Commission of Experts, charged to collect evidence of grave breaches of the Geneva Conventions and other violations of humanitarian law.

(2) In early January 1993, an international team of female physicians, assembled by PHR, travelled to former Yugoslavia under the auspices of the U.N. Commission on Human Rights to investigate reports of widespread rape and other forms of sexual abuse, especially in Bosnia-Herzegovina.

(3) Today--January 25, 1993--a PHR medical team arrived in the former Yugoslavia to gather systematic data on the immediate medical and public health consequences of the Yugoslav war and to investigate reports of violations of medical neutrality and of attacks against convoys transporting medical and relief supplies to civilian populations.

The Medicolegal Investigation of War Crimes

Physicians for Human Rights believes that the United Nations Security Council should enforce the prohibition of "grave breaches" of the Geneva Conventions by establishing an international tribunal at the highest level to investigate, prosecute, adjudicate, and punish those on all sides who have been responsible for war crimes and crimes against humanity on the territory of the former Yugoslavia. PHR believes those responsible for past abuses should be held accountable, both because we feel a duty to the victims and their families and because we believe that such accountability provides the most secure foundation for future respect for human rights and humanitarian law.

To that end, PHR is now providing the United Nations with medical and forensic expertise to conduct impartial and independent investigations of violations of human rights and war crimes by all the sides in the conflict.¹

A PHR forensic team, under the auspices of the U.N. Commission of Experts, is now investigating possible war crimes associated with mass graves in the former Yugoslavia. So far, the team has undertaken preliminary inspections of four alleged mass graves and conducted a preliminary archeological exploration of a fifth grave near the city of Vukovar. Our findings from the Vukovar site have been submitted to the U.N. Commission of Experts, and I am able to speak about some of those findings today.

On 17-19 December 1992, a PHR team, comprised of forensic specialists from the United States and Argentina, conducted a preliminary site exploration of a mass grave approximately 6 km southeast of the city of Vukovar, in the territory of former Yugoslavia. The work was carried out with security and assistance provided by the United Nations Protection Forces (UNPROFOR), Sector East.

Based on the preliminary site exploration, the forensic team concluded:

1. A mass execution took place at the gravesite.

¹Since its founding in 1986, PHR has conducted forensic investigations, including exhumations and autopsies, of alleged torture and extrajudicial executions in Brazil, Israel, Czechoslovakia, Guatemala, El Salvador, Iraqi Kurdistan, Kuwait, Panama, and Thailand. Moreover, members of the PHR team now working in former Yugoslavia have also participated in the medicolegal investigations of the disappeared in Argentina, Chile, Bolivia, Venezuela, and the Philippines.

2. The grave is a mass grave, containing perhaps as many as 200 bodies.

3. The remote location of the grave suggests that the executioners sought to bury their victims secretly.

4. There is no indication that the grave has been disturbed since the time of execution and interment.

5. The grave appears to be consistent with witness testimony that purports that the site is the place of execution and interment of the patients and medical staff who disappeared during the evacuation of the Vukovar Hospital on 20 November 1991. However, before that determination can be made with scientific certainty, the grave will need to be excavated and a number of bodies will need to be identified using forensic methods and techniques.

The forensic team proposes to return to Vukovar in mid-March to continue its investigation of the site. To complete its investigation, the forensic team will need the full support and cooperation of the United Nations and interested governments.

The Vukovar grave was discovered by forensic anthropologist Dr. Clyde Collins Snow and other investigators from Physicians for Human Rights and the United Nations in an isolated wooded area southeast of the farming village of Ovcara, near Vukovar, on 18 October 1992. A preliminary inspection of the site revealed three young adult male skeletons partially exposed by erosion and animal scavengers. Two of the skeletons bore signs of perimortem trauma. Soon after the discovery of the grave, UNPROFOR authorities took immediate action to insure round-the-clock security of the site.

The discovery of the site is consistent with witness testimony of the disappearance of about 200 patients and medical staff members from the Vukovar Hospital during the evacuation of Croatian patients from that facility on 20 November 1991.² At that time, the hospital held several hundred civilian and military patients, most of whom had been wounded in the heavy fighting in and around Vukovar during the preceding months. When Serbian forces occupied the hospital in mid-November, both sides agreed that the approximately 420 Croatian patients should be evacuated to Croatian-held territory. According to this agreement, the evacuation was to be monitored by representatives

²See Annex II, U.N. Commission on Human Rights, "Report on the situation of human rights in the territory of the former Yugoslavia submitted by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission of Human Rights," E/CN.4/1992/S-1/10, 27 October 1992, p. 13-14.

of the European Monitoring Mission and the International Committee of the Red Cross.

However, according to witnesses, reservists and Yugoslav National Army (JNA) officers and soldiers separated the lightly wounded military and civilian males from the other patients and boarded them on several buses near the hospital. Among this group were a number of male hospital workers. The buses, each containing about 60 prisoners and two JNA guards, were driven to the JNA barracks in Vukovar at about 11:00. At 14:00 the buses proceeded to Ovcara where the men were transferred to a large building used as a garage for farm equipment and vehicles. While moving from the buses to the building, the men were beaten by JNA soldiers and Serbian paramilitaries with a variety of blunt instruments. The beatings continued for several hours inside the building. According to witness testimony, at least 2 men were beaten to death.

At about 18:00 that same day, JNA soldiers divided the prisoners into groups of about 20 men. One by one, each group was loaded onto a truck and driven away. At intervals of about 15 to 20 minutes, the truck returned empty and another group was loaded onto it. According to witness testimony, the truck left the building and turned onto a paved road that leads to Grabovo, a village about 3 km southeast of Ovcara. A few minutes later, the truck made a left turn onto a dirt field road. This road ran between a cultivated sunflower field on the left and a heavily wooded area on the right (see Annex 1, Site Maps).

Given the estimates of time and distance between the farm building and from the description of the roads used, only one location fits the description: the dirt field road turning off the main road at 1.1 km southeast of the Ovcara complex. This track runs northeast, between a cultivated field on the left and a heavily wooded ravine on the right. The area where the skeletons were discovered is located at the head of the ravine at 0.9 km from where the field road turns off the main road.

PHR believes that the physical evidence obtained from the Vukovar grave and dozens of other mass grave sites in former Yugoslavia may provide irrefutable evidence of possible war crimes. Indeed, this evidence may prove to be the strongest proof that such crimes actually took place. What follows is a brief description of some of the scientific procedures used in the medicolegal investigation of mass graves:

1. Once a decision has been taken to investigate a mass grave, the site must be secured for the duration of the excavation and a system of chain-of-custody established in the same manner as a crime scene investigation.

2. After a preliminary archeological site survey is

completed, the forensic team will begin the excavation by establishing the perimeter of the grave and then dividing it into sectors. The team will then dig test probes to determine the perimeter and the level of the burial. With this established, the dirt over the grave can be removed with picks and shovels to a level of ten centimeters above the skeleton. After the overburden, as the surface soil is called, has been removed, the team will begin meticulously removing the dirt with trowels and soft brushes until the complete skeletons are exposed. They will then be photographed and removed.

This methodical approach pays dividends in the recovery of many small and fragile items such as teeth, bullets, and personal effects which are often critical in the identification of the deceased and determination of cause and manner of death. Moreover, special studies of the delicate remains of plants and insects found in the grave can aid in establishing the time of death.

3. Once the team has completed the excavation, the remains will be transferred by the United Nations to the laboratory team. This team will consist of a core group of forensic specialists in physical anthropology, pathology, odontology, and radiology. A geneticist and molecular biologist will be retained for mitochondrial DNA testing of the remains. Assuming projectiles are recovered from the grave, a ballistic expert will identify the types and, to the extent possible, the model of firearms used during the alleged massacre.³

In most cases, antemortem dental and medical X-rays provide the most immediate means of identifying skeletal remains. If, for one reason or another, sufficient radiological evidence is not available, the forensic anthropologist will undertake an anthropological study of the skeleton. Such a study involves determining the skeleton's age at death, sex, race, stature, and handedness. At the same time, the forensic anthropologist and other team members will be examining the remains for signs of old injuries and diseases. This information will then be compared with the deceased's antemortem characteristics to see if they match.

Given the large number of presumed victims in the grave, it may be necessary to employ a technique known as skull/face superimposition. First developed in the 1970's, the technique involves the use of two high-resolution video cameras to

³PHR has just completed a firearms identification analysis of a massacre that took place in a remote mountain village in Iraqi Kurdistan in 1988. See Middle East Watch and Physicians for Human Rights, The Anfal Campaign in Iraqi Kurdistan: The Destruction of Koreme, January 1993.

superimpose the separate images of a skull and a photograph of a missing person on a television monitor.⁴ Once the two images are superimposed over one another, the forensic anthropologist can determine if they are either consistent or can be excluded.

It is very likely that the team will also need to use mitochondrial DNA testing⁵ to identify many of the Vukovar remains. This forensic method requires comparing mitochondrial DNA extracted from the teeth of the deceased with DNA obtained from blood samples or hair follicles from maternal relatives. PHR is now using this technique to identify death-squad victims exhumed in July 1992 from several mass graves in the Guatemalan highlands.

Women and Rape

Rape is specifically prohibited in Protocol II to the Geneva Conventions. Physicians for Human Rights believes that rape should be considered a war crime.

In early January 1993, PHR, at the request of the U.N. Special Rapporteur on former Yugoslavia, helped assemble a medical team, comprised of four female physicians, to travel to the former republic to investigate reports that thousand of Muslim and Croatian women and young girls have been raped, some repeatedly, by uniformed soldiers and militia. Dr. Shana Swiss, director of PHR's womens program, was a member of the team. Late last week, the team completed their work in former Yugoslavia and returned to Geneva; they will release their findings in the near future.

Because of the stigma attached to rape worldwide, shame often silences its victims. Yet reports from former Yugoslavia, Somalia, Kahsmir, Burma, Liberia, and other countries tells us that in war, rape is a daily part of womens' lives. Torture and

⁴See Richard Helmer, Schadelidentifizierung durch elektronische Bildmischung: zugleich ein Beitrag zur Konstitutionsbiometrie und Dickenmessung der Gesichtswichteile (Heidelberg: Kriminalistik-Verlag, 1984).

⁵Mitochondrial DNA (mtDNA) testing has several features that make it attractive for the Vukovar case. Unlike chromosomal DNA which is inherited from both parents, both male and female children only inherit mtDNA from their mother. Therefore, when using mtDNA testing, a DNA sample from only one maternally related individual is required to identify the victim. That individual might include the victim's mother, siblings, maternal grandmother, or maternal aunts and uncles. This feature gives mtDNA testing more flexibility in situations where one or both parents are deceased, or cannot be located.

rape destroy feelings of human dignity, self worth, and physical integrity, as well as the capacity to think and act clearly. Unresolved trauma after being raped severely compromises a woman's ability to participate fully in family and community life.

Rape by soldiers also disrupts families and communities by exacerbating already existing conflict and hostilities between cultural, political, and ethnic groups. When committed in a context of war, rape differs from the crime as it is usually understood during peace-time: a deviant, criminal, act that is punishable by law under criminal codes. Women who are raped by soldiers cannot call for help, press charges, or demand justice. Moreover, the rape of women by soldiers who have license to rape because of their military affiliation is a form of institutionalized violence.

PHR believes that the collection of information about rape in war must be handled by professionals trained to gather legal testimony and to recognize the psychological vulnerability of victims of rape. Health professionals, relief workers, and others who interact with victims of rape need to be aware of and understand the consequences of rape on the life of victims, as well as the cultural context within which the victims must live. Without such understanding, victims of rape will continue to be victims and fail to receive the proper support they need to cope with their trauma.

These concepts were supported at a meeting, on January 11, 1993, of representatives from several human rights organizations, relief agencies, and experts in the treatment of psychological trauma held under the auspices of the Albert Schweitzer Institute for the Humanities at the Kennedy School of Government at Harvard University. Participants at the meeting expressed concern that the media and human rights and therapeutic organizations were conducting self-appointed assessments of rape victims in the former Yugoslavia in a manner that could potentially compound the emotional trauma that these women have already suffered.

The PHR/U.N. medical team which travelled to former Yugoslavia earlier this month sought to standardize the collection of testimony from rape victims through the use of a pre-determined questionnaire. The team also used another questionnaire designed to assess the physical and psychological sequelae of rape and to develop appropriate means of therapeutic intervention. Among other things, information was sought about past pregnancies, abortions, and sexually transmitted diseases; and the availability of services. The PHR/U.N. team will share their findings with relief agencies so they can better respond to the needs of victims of rape.

The elimination of rape as a concomitant of war requires, as

a first step, that we acknowledge its presence. We must then investigate individual cases of rape, while being ever mindful that the willingness of victims of rape to cooperate with such efforts must be tied to an assurance that the information will lead to legal proceedings. In this regard, those responsible for rape in the former Yugoslavia and those who have ordered or neglected to prevent these crimes must be held personally accountable to an international tribunal.

Medical and Public Health Consequences of War and Human Rights Violations

Violent death due to war is often followed by slower death, caused by epidemic disease--measles, meningitis, typhoid, diarrhoea, and respiratory infections--or famine.⁶ War often has one of the following three consequences--or all three simultaneously: (1) It provokes movements of populations, which can introduce a new illness into the host population, or expose a weakened population to an illness from which they have previously been spared; (2) it hinders opportunities to control and eradicate vectors of the illness; and (3) through the absence of detection and treatment, it increases the number of cases of the illness so that it reaches epidemic proportions.

During the next two months of midwinter in the former Yugoslavia, the risk of death from exposure and especially disease will reach its peak. More than two million people are at risk. And some observers predict that hundreds of thousands may die over this period from violence, starvation, disease, and trauma.

Some of these tragedies will take place in well-publicized areas such as Sarajevo and Gradacac, and in the organized centers for refugees and displaced persons served by the UNHCR, ICRC, and other agencies. But the majority will occur in the hundreds of isolated and shattered Bosnian villages and informal "collective points"--schools, gymnasias, and abandoned public buildings--holding tens of thousand of displaced persons who are not reached regularly, if at all, by relief agencies.

In October 1992, Dr. H. Jack Geiger, PHR president and an authority on health care delivery in crisis situations, visited refugee and displaced persons camps and met with representatives of international relief agencies in Croatia and Bosnia in an attempt to determine the urgent needs of the Bosnian populations for health care, shelter, clothing, and food.

⁶Medecins Sans Frontieres, Populations in Danger (London: John Libbey, 1992).

In a chaotic refugee site at Trnopolje, Dr. Geiger found more than 3,500 people crammed into two buildings and living in unbelievable squalor, sleeping on thin blankets and lice-infested straw, drinking contaminated water and attempting to survive on minimal rations of bread. One large room was filled with the sound of children coughing and infants crying. Upper respiratory infections were spreading rapidly. Other children and adults were suffering from diarrhea, presumably from contaminated water and a near total absence of sanitation. Some had been there for weeks. There were diabetics without insulin, cardiac patients without digitalis, hypertensives without any medication.

These conditions were repeated in scores of other camps, large and small, and in villages across Bosnia and other war-afflicted areas. The situation was made more desperate by the fact that an estimated 80 percent of the hospitals in Bosnia have been destroyed or damaged by Serbian forces.

Dr. Geiger found that international aid agencies were overwhelmed. Some relief workers were skeptical that "ethnic cleansing" could be halted. Geiger concluded that the deaths of Muslims, Croats, and some Serbs from exposure, starvation, and disease would soon far exceed deaths from shooting and military actions.

Today, a PHR medical team, comprised of six physicians from the United States and Great Britain, will arrive in the former Yugoslavia to assess the public health situation in Bosnia and to investigate evidence of violations of the Geneva Conventions, especially those that involve protection of medical personnel (Article 9) and medical units and transport (Article 11) and violations of the protection of the civilian population (Article 13). This information will be collected and analyzed to determine if these violations are sporadic or constitute a pattern that amounts to grave breaches of the Geneva Conventions.

PHR's preliminary investigations, supported by reports in the press and reporting by Helsinki Watch⁷, uniformed and militia forces have attacked or otherwise harassed domestic and international medical and relief personnel and a number of people engaged in humanitarian aid have been killed or wounded. Relief convoys have been attacked, primarily by sniper and mortar fire, or prevented from reaching besieged Bosnian towns and villages. What follows are examples of the ways in which relief and medical supplies have been prevented from reaching civilian populations, as reported by news sources in recent months:

⁷See Helsinki Watch, War Crimes in Bosnia-Herzegovina, August 1992.

o On August 20, 1992, Mortar shells hit hospital. Shells landed near the airport as it reopened to relief flights after a two-day closure. (Boston Globe, August 21, 1992).

o In late August, fierce fighting around Gorazde forced UN officials to delay plans to dispatch an aid convoy. (Boston Globe, August 31, 1992)

o In early September, four US Marine helicopters searching for an Italian relief transport plane that crashed in the mountains west of Sarajevo ran into gunfire and left the area. US Marines had been dispatched to help protect the supply of food and medicine to Sarajevo last June. They were not hit. Four people were killed in the Italian plane that was hit by a heat-seeking missile. Firing occurred near town of Jasenik, territory held by Croatian forces. Relief flights to Sarajevo were halted after the plane crash. (New York Times, September 4, 1992)

o Heavy machine gun fire blasted a UN convoy arriving from Serbia late Tuesday, killing two French peacekeepers and wounding two others. Attack occurred near the airport in Sarajevo. Convoy was from Belgrade. Clashes near airport over the past few days have suspended airlifts. Not clear who fired at the convoy. Gunfire was thought to be deliberate as it persisted for 5 minutes. Boutros-Ghali said he would support the use of warplanes to protect relief flights. The 39 vehicle convoy, carrying water, food, and fuel from Belgrade, was unprotected. (Boston Globe, September 9, 1992)

o On September 9, the commander of UN peacekeeping forces in Sarajevo charged that Bosnian Muslim militiamen deliberately attacked a UN supply convoy, just outside Sarajevo. The 39 vehicle convoy passed through fire between Serb and Muslim forces. The convoy was attacked at a range of less than 100 meters with machine gun fire. UN vehicles are painted bright white and fly the UN blue flag. The light was enough for recognition of the vehicles. (New York Times, September 10, 1992)

o It is mid-September and there are no safe corridors to deliver supplies to many towns in Bosnia. Convoys have to go across the lines of intense battle area. Attempts to ship supplies overland are thwarted by succession of Serbian attacks and hijackings. Roads littered with spent shell casings and burned out tanks. Roads that are chosen for convoys are unpaved and through dangerous mountainous terrain. As a result, in June, UN switched to airlifts--carrying 1500 tons of supplies a week to Sarajevo. In August, an Italian relief aircraft was shot down by ground-air missile, 20 miles NW of Sarajevo. Four crewmen died. They were shot down by Croatian forces. (New York Times, September 24, 1992)

o On September 4, trucks carrying supplies to UN headquarters

were fired on by Bosnian government forces as they approached Sarajevo airport. Two French soldiers were killed. (New York Times, September 24, 1992)

o By late September, there is no sanitation, electricity, or water in many Bosnian hospitals. (New York Times, September 25, 1992)

o On September 26, Serbs continued to use planes to attack Muslim and Croatian areas used by relief convoys. Relief flights to Sarajevo suspended after Italian cargo plane was shot down on Sept. 3. U.N. Security Council authorizes use of force if necessary to protect relief convoys in Bosnia. (New York Times, September 27, 1992)

o Ambulances are bullet-ridden at the principal medical center in Kosovo. (New York Times, September 27, 1992)

o In mid-October, Bosnian government forces barricaded the airport road where relief supplies tried to get through to Sarajevo. The forces also raised weapons against UN military officers who tried to reopen the road. A shipping container was placed in the road and UN officials were threatened by force not to remove it. The road was the only channel through the siege lines to deliver food and medical supplies. The Bosnian action of blocking the airport road led to an armed confrontation when UN troops arrived at the container and began placing steel cables around it to haul it away. Bosnian troops aimed a grenade launcher and automatic rifles at a Canadian UN Officer. The barricade bottled up hundreds of tons of relief supplies being loaded off Western military aircraft shuttling into the airport and blocked the passage of two tanker trucks under UN protection enroute to the city with 60 tons of diesel fuel, badly needed by two city hospitals. (New York Times, October 17, 1992)

o Kosovo Hospital in Sarajevo is under artillery fire. Virtually every building has blast holes in roof and walls. UN relief headquarters has not been able to fulfill the demands of the hospital for antibiotics, painkillers, bottled oxygen, blood plasma, surgical instruments, syringes, gauze, liniment, rubber gloves, smocks, bedsheets. Relief convoys have been halted by fighting. Diesel-powered energy operates electricity. Hygiene is poor. (New York Times, October 18, 1992)

o UN Military headquarters dispatched armed rescue mission to village 50 miles northwest of Sarajevo where 8 UN relief workers were trapped by fierce street fighting between Croats and Bosnian government at Vitez. Four armed personnel carriers manned by French troops attempted to rescue the workers. Vitez is a key link in supply line being used to get supplies to Sarajevo and other towns in central and northcentral Bosnia. UN warehouse there supplies food, fuel, clothing, construction materials.

Vitez is the only reliable route to areas where the needy are. Two convoys were attacked week of October 21 on outskirts of Mostar in Bosnia and had to turn back. (New York Times, October 21, 1992)

- o Refusal of UN force to allow more than 200 wounded or chronically ill people to remain on the emergency evacuation list. Red Cross withdrew its staff from Bosnia after its chief delegate was killed in a Serbian artillery attack outside Sarajevo in April. UN left to handle all relief efforts. (New York Times, October 28, 1992)

- o Relief efforts are severely hampered. Relief agencies report being harassed by all three groups of the war--though predominantly Serbs. Long delays of relief convoys at Serbian checkpoints while their cargoes are examined. Convoys have had to turn back after becoming under fire. Militias halt convoys and search supplies--believe water being transported may be fuel or poisonous chemicals or that shipments of food, blankets and other supplies are hiding grenades. Convoys have met over 1,000 barricades. (New York Times, November 3, 1992)

- o A convoy carrying 240 tons of food was forced to turn back to Belgrade after Serbs blocked passage to a Muslim enclave. The convoy was due to deliver food to Bratunac, a Serb town 50 miles northeast of Sarajevo and Srebrenica, a Muslim area south of Bratunac. The Serbs said it would allow the convoy to serve Bratunac but not Srebrenica. UN officials refused to supply just one town and turned back. They were able to deliver the aid to Srebrenica later on November 28. The Bosnian Serb army blocked the convoy for three days. (Boston Globe, November 7, 1992)

- o UN peacekeeping soldiers fired back when their vehicles were attacked yesterday. British soldiers on a reconnaissance mission returned fire after they drove into a gun battle at Ribnica, 20 miles south of Tuzla, in central Bosnia. There were no British casualties. The British troops were part of a UN peacekeeping force to escort convoys taking relief supplies from the Croatian port of Split to Sarajevo and towns in central Bosnia. Bullets missed the vehicles by inches. Not clear who was responsible for attack. (Boston Globe, November 8, 1992)

- o Relief flights into Sarajevo were temporarily halted yesterday by heavy fighting near the airport. A 10-truck aid convoy bound for Sarajevo was stopped near Mostar because of fighting. A group of Danish UN peacekeepers were stopped by Serbs on the road from Belgrade. (New York Times, November 9, 1992)

- o The Bosnian Red Cross abandoned evacuation efforts for nearly 1,000 Serbs due to a shooting attack on the driver of a minivan carrying 20 Serbs out of Sarajevo into territory controlled by the Serbian forces. The driver, a Serb, was lightly wounded.

(New York Times, November 12, 1992)

o The first UN relief convoy to reach Bosnian town arrived outside Sarajevo. Prior to its arrival, UN French troops exchanged gunfire with Serbian forces as they attempted to bring food and medicine to Bosanska Krupa, Bosnia. Serbian forces fired at the French-led convoy for 10 minutes. The French were ordered to fire back. Serbs kept firing until the convoy (6 armored personnel carriers and 4 trucks filled with relief goods) were able to snake through the street. Bullets struck one truck and an armored vehicle but no one was wounded. Not known if any Serbian casualties. This was the first time that UN forces used firearms to protect supplies. The French soldiers said that the firing came despite a promise by Serbian commanders to hold fire until the aid had been delivered. A second convoy, manned by British personnel, safely arrived in Tuzla. (New York Times, November 20, 1992)

o UN troops from Britain were fired on yesterday while returning from a successful relief mission to the Bosnian city of Tuzla. Several tracer rounds, automatic fire and mortar bomb hit the road as the troops, serving as protection for a UN-aid convoy, were returning from Tuzla. The troops did not return the fire. This was the second UN relief convoy in Bosnia to come under fire in 24 hours. Another convoy taking food and emergency supplies to Sarajevo was attacked on November 17 in southern Bosnia. No was hurt but a vehicle was damaged and left behind. (Boston Globe, November 20, 1992)

o A humanitarian airlift to Bosnia was suspended after small-arms fire struck part of a US Air Force transport plane on its landing approach to Sarajevo. The plane was able to land safely, unload its relief supplies and return to Zagreb. The airlift was suspended until investigation of shooting could take place. Twenty flights carrying food, medicine and other relief supplies were scheduled to land yesterday in Sarajevo but only 10 arrived after the airlift was suspended. Earlier Bosnia's army also accused the Serbs of shelling the airport runway overnight with the intention of destroying the radar system to stop humanitarian flights. (Boston Globe, December 2, 1992)

o No food reliefs reached Sarajevo as fighting raged. Relief airlift was suspended after U.S. airforce transport plane was hit by small arms fire while approaching airport. Truck convoy was held up due to fear of fighting. Convoy of 12 trucks trying to reach Gorazde was stopped by Serbs. (New York Times, December 3, 1992)

o UN officials urged NATO to consider dropping food and medicines by air since for months UN convoys (trucks) have been held up or turned back by Serbian nationalist forces. (New York Times, January 12, 1993)

o A UN relief convoy that set out for Zepa on Friday with 76 tons of food and medicine survived an obstacle course fashioned by Serbs to delay the mission as long as possible and to exhaust the relief officials. The route was blocked by fallen trees and minefields. The relief mission took three days. Serbs planned the only route to Zepa to be obstructed and rerouted the convoy several times. (New York Times, January 18, 1993)

By prohibiting starvation of the civilian population as a method of warfare or combat, Article 54 of Protocol I and Article 14 of Protocol II of 1977 to the Geneva Conventions of 1949 establish a substantially new rule which has been accepted by many governments as customary law.⁸ Article 14, Protocol II provides that "Starvation of civilians as a method of combat is prohibited. It is prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population..."

Neither party to a conflict may destroy objects indispensable to the survival of civilians because it suspects those civilians of supporting the adversary. This is the regardless of whether the civilians live in territory controlled by that party or its adversary. According to the International Committee of the Red Cross, "[t]o deprive the civilian population of objects indispensable to its survival usually results in such a population moving elsewhere as it has no other recourse than to flee. Such movements are provoked by the use of starvation, which is in such cases equivalent to the use of force."⁹

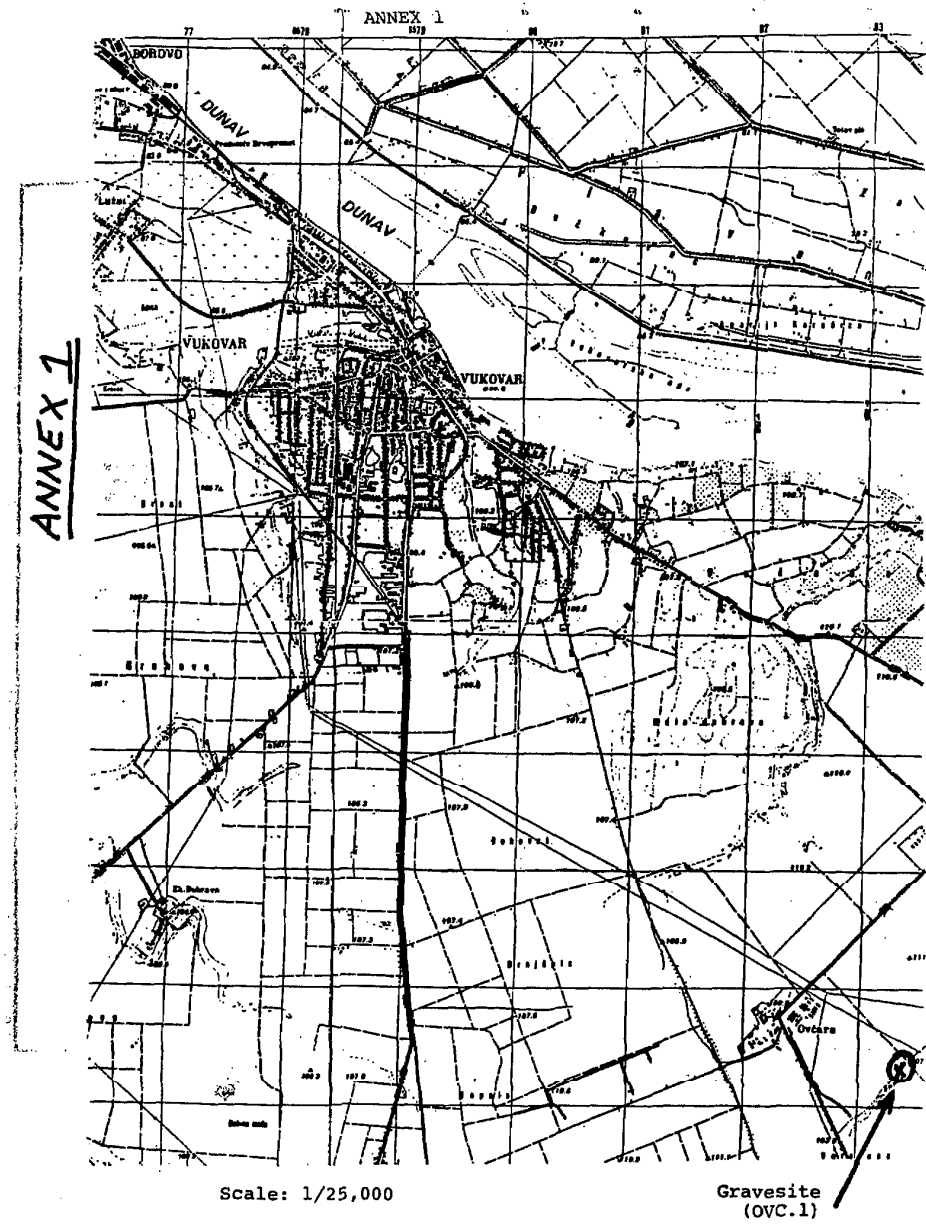
Physicians for Human Rights believes that widespread and repeated military attacks on relief convoys that hinder the delivery of food, medical, and other relief aid to threatened civilian populations and, in turn, leads to the slow death of civilians by starvation, exposure, and disease, is just as deplorable as violent death due to torture and extrajudicial executions. Moreover, PHR believes that those responsible for attacks on relief convoys and relief workers should be held accountable to an international tribunal.

⁸See Charles A. Allen, "Civilian Starvation and Relief During Armed Conflict: The Modern Humanitarian Law," 19 Georgia Journal of International and Comparative Law 1 (1989).

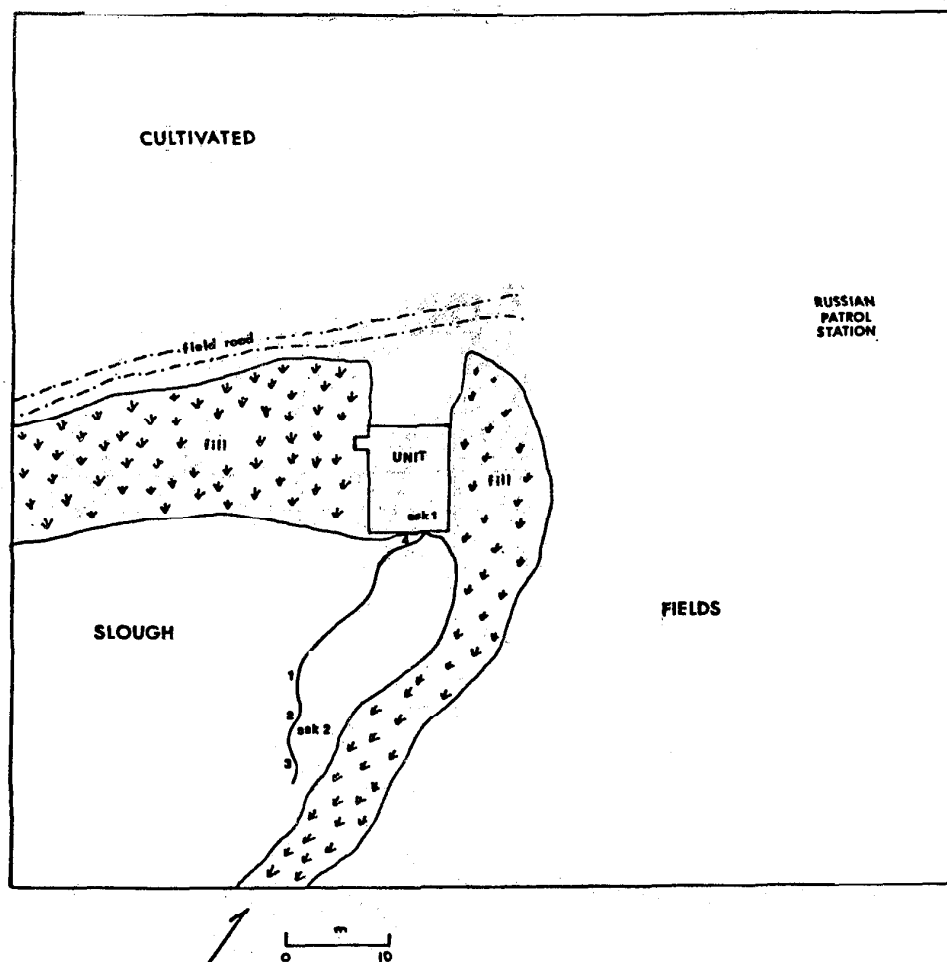
⁹See International Committee of the Red Cross, Commentary on the Additional Protocols of 8 June 1977 to the Geneva Conventions of 12 August 1949 (Geneva, 1987), p. 1459.

United Nations Commission of Experts

Physicians for Human Rights is concerned that the U.N. Commission of Experts, often referred to as the war crimes commission, has insufficient staff and resources to fulfill its mission. PHR urges the United Nations and individual governments to provide the commission with financial and logistical support so that it can carry out its mandate in a coordinated and efficient manner.



MAP 2 -- OVC.1 Site Map

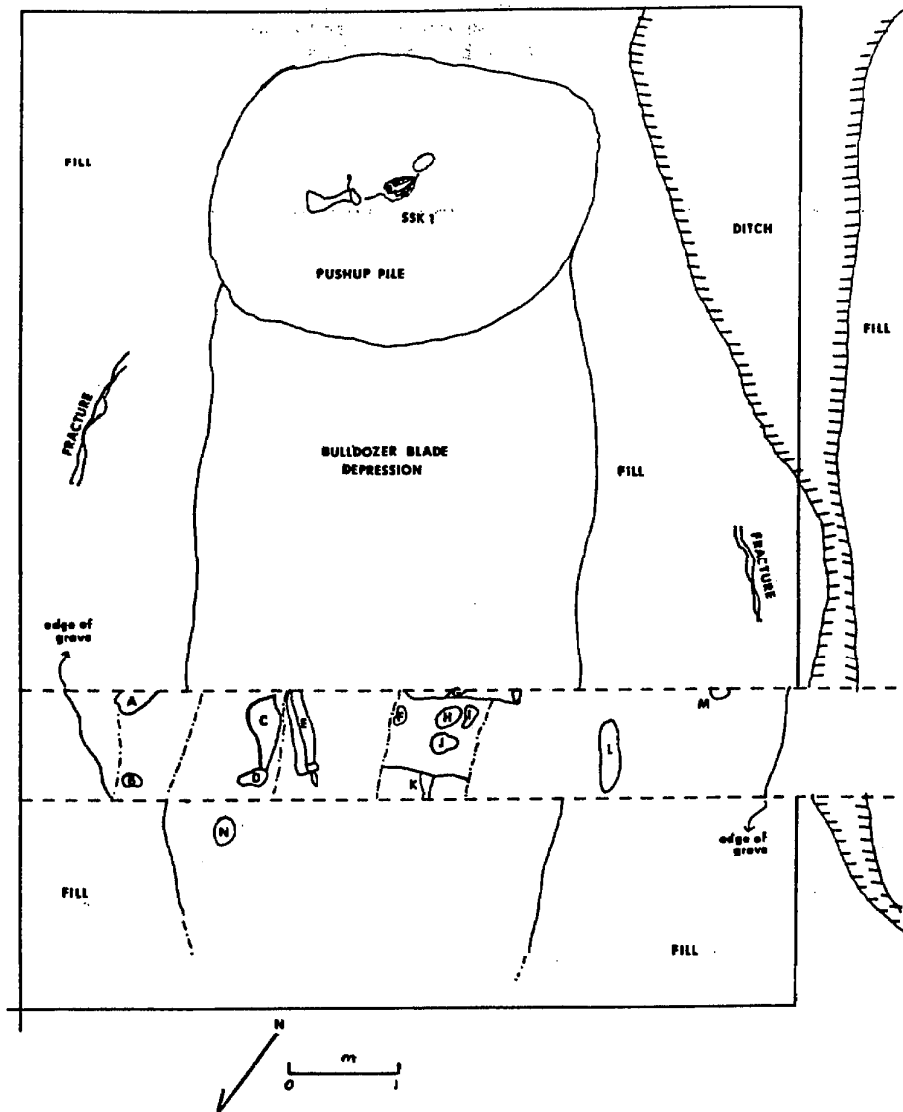


Map 2. OVC.1 Site Map.

Key:

1. Left tibia and fibula of SSK 2.
2. Right tibia and fibula of SSK 2.
3. Human ribs and sweatshirt probably belonging to SSK 2.
4. Vehicle chassis with bullet holes.

MAP 3 -- OVC.1 Unit with Test Trench



Map 3. OVC.1 Unit with Test Trench.

Key:

- A. Soft tissue, depth .68 meters below ground surface (mbgs).
- B. Clothing, Test Trench Burial 2, depth .72 mbgs.
- C. Possible pants leg, depth .57 mbgs.
- D. Boot or shoe, depth .48 mbgs.
- E. Shirt, with hand exposed, Test Trench Burial 3, depth .22 mbgs.
- F. Clothing, depth .64 mbgs.
- G. Pants leg with sock, Test Trench Burial 4, depth .44 mbgs.
- H. Skin, depth .50 mbgs.
- I. Clothing, depth .50 mbgs.
- J. Cranium, Test Trench Burial 5, depth .58 mbgs.
- K. Sweater, belt, pants, Test Trench Burial 6, depth .74 mbgs.
- L. Clothing, Test Trench Burial 7, depth .37 mbgs.
- M. Sock, Test Trench Burial 8, depth .51 mbgs.

Note: No Test Trench Burial 1 number was assigned. Numbers given are those burials photographed individually. Estimated number of individuals exposed within the trench is nine.

Physicians for Human Rights

Physicians for Human Rights (PHR) is an organization of physicians and other health professionals that brings the knowledge and skills of the medical sciences to the investigation and prevention of violations of international human rights and humanitarian law.

PHR was founded in 1986 on the premise that human rights violations carry serious and often profound consequences to health. Since protection of the individual from physical and psychological health is intrinsic to medicine, physicians have a unique obligation to investigate, report and prevent human rights abuses with a direct bearing on health. To that end, Physicians for Human Rights works to:

- Apply the special skills of health professionals to stop torture, "disappearances" and political killings by governments and opposition groups;
- Report on conditions and protection of detainees in prisons and refugee camps;
- Investigate the physical and psychological consequences of violations of humanitarian law and medical ethics in internal and international conflicts;
- Defend the right of civilians and combatants to receive medical care during times of war;
- Protect health professionals who are victims of human rights abuses, and
- Prevent physician complicity in torture and other human rights abuses.

Since 1986, PHR has sent over 40 fact-finding and emergency missions to 25 countries. PHR bases its actions on the Universal Declaration of Human Rights and other international human rights and humanitarian agreements. The organization adheres to a policy of strict impartiality and is concerned with the medical consequences of human rights abuses regardless of the ideology of the offending government or group. The President of the Board of Directors is H. Jack Geiger, M.D.; the Vice President is Carola Eisenberg, M.D. Eric Stover is Executive Director; Susannah Sirkin is Deputy Director; Barbara Ayotte is Senior Program Associate, Gina VanderLoop is Development Director and Jonathan Fine, M.D. is Senior Medical Consultant.



**U.S. COMMITTEE
FOR REFUGEES**

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Informing the public since 1958

**STATEMENT OF
ROGER P. WINTER
DIRECTOR, U.S. COMMITTEE FOR REFUGEES
on
HUMAN RIGHTS AND HUMANITARIAN NEEDS OF
REFUGEES AND DISPLACED PERSONS
IN AND OUTSIDE BOSNIA AND HERCEGOVINA
before the
U.S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE
(HELSINKI COMMISSION)**

January 25, 1993

USCR is a program of the American Council for Nationalities Service

Thank you, Mr. Chairman, for the opportunity to present to you today the views of the U.S. Committee for Refugees (USCR), a thirty-five-year-old privately supported refugee rights agency, on the situation in the former Yugoslavia, particularly the republic of Bosnia and Hercegovina.

During the past eighteen months, USCR staff have traveled to five of the six former Yugoslav republics, as well as states bordering the region, to interview refugees and internally displaced civilians. Even now, two USCR staff members are on the ground in Zagreb, Croatia, en route to central Bosnia to investigate conditions faced by displaced civilians in select still-contested regions. Previous interviews with refugees and internally displaced civilians are the basis of two USCR publications: *Yugoslavia Torn Asunder* (February 1992), which relates the stories of Croatian refugees, and *Croatia's Crucible* (October 1992), which describes the precarious state of Bosnian refugees in Croatia, as well as would-be refugees still trapped inside Bosnia. Copies of these reports and related materials have been submitted to you for the record.

Based on our analysis of the humanitarian and human rights situation in the former Yugoslavia, I would like to make the following recommendations today:

1. The U.S. Committee for Refugees urges the U.S. government to invoke Article VIII of the *Genocide Convention* to call upon the UN to authorize appropriate action "for the prevention and suppression of acts of genocide" currently being committed by Serb militia in Bosnia and Hercegovina. This is an important step necessary for establishing the moral, legal, and political context for forceful action by the international community, as distinct from its current pattern of dithering and its Chamberlainesque reaction. Invocation of Article VIII has been delayed too long; it was justified months ago by the facts on the ground in Bosnia, which have been widely known, yet not acted upon.

The statement early last week by the State Department that the action in Bosnia of Serb irregulars and their supporters "borders on genocide" in my view more than borders on dereliction of duty. Normal Americans understand very well that genocide is at work. It is time the U.S. government officially used the word, invoked the Convention, and acted accordingly.

2. Specifically we urge as one means of preventing genocide that the UN Security Council declare "safe haven zones" for civilians where they now live in Sarajevo and such central and eastern Bosnian towns as Tuzla, Travnik, Zenica, Visoko, Maglaj, Gorazde, Mostar, Zepa, Srebrenica, and Konjic, and announce that further attacks on civilians in these centers will not be tolerated. It is ludicrous to wait for residents of those cities and towns to be uprooted and, only then, try to find them safe haven. They need to be protected now, *in situ*.

3. We also call on the United States and other UN members to implement UN Security Council Resolution 770, which authorizes the use of "all measures necessary" to deliver humanitarian relief in Bosnia. The skies over Bosnia and Hercegovina should be cleared of military aircraft, consistent with UN Security Council Resolution 781, to permit air drops of humanitarian aid to besieged areas. Clearly marked UN convoys should immediately be provided with significant air and ground military escort to travel on direct, all-weather roads to deliver relief aid. Any attacks on such convoys should be met with swift and forceful retaliation.

4. We recommend a comprehensive plan of action to preserve the availability of asylum for those who need it by increasing financial and other support to Croatia, Macedonia, and other states in the immediate vicinity of the conflict to encourage them to keep their borders open for those seeking asylum outside Bosnia and Hercegovina.

5. As one component of such a plan to preserve the availability of asylum, we urge the United States to make 25,000 resettlement admissions places available immediately for refugees from Bosnia and Hercegovina. Refugees of special humanitarian concern for resettlement under expedited procedures should include former civilian detainees, displaced persons in mixed marriages, and female heads of households, who have lost their homes and whose husbands have been killed. These women are particularly vulnerable to sexual and other forms of abuse.

Such an approach to resettlement by the United States will not resolve the refugee problem produced by conflict in the former Yugoslavia. It can, however, if properly utilized, help keep asylum viable for all refugees in the region and is *the* appropriate solution for select refugees.

6. We recommend that the Helsinki Commission quickly and certainly not later than the upcoming CSCE meeting on migration, scheduled in April, act to clarify the legal status of Bosnian refugees by recognizing that victims of ethnic cleansing indeed fit the international legal definition of refugees as persons with a "well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion." Most who have fled Bosnia are currently being handled in an ad hoc legal manner; for reasons of expediency, European governments have been calculatingly unwilling to recognize them as refugees under the 1951 *Convention Relating to the Status of Refugees*. This inappropriately places these refugees in a continuing state of uncertainty and vulnerability, treating them as if they are the problem, when in fact the problem is their tormentors.

. . . .

In reacting to the tragedy that has unfolded in what was Yugoslavia, the world community

has shown itself at its worst. The European Community has been morally spineless, and even the United States, while certainly more respectable than the EC has been, will not be bathed in glory by those who analyze the history of this period in the Balkans.

I believe that this is an important moment for Congress to demand that the United States and the UN shift from lackadaisical, half-hearted steps focused on treating the wounds of the victims only after they have been victimized to a posture that prevents further victimization and forcefully protects vulnerable civilians.

Refugees and Displaced Persons Bosnia and Hercegovina, which had a population of 4.4 million in April 1992, has been devastated by the attacks that followed U.S. and European Community recognition of Bosnian independence. Although exact figures are not available, nearly one-half of all Bosnians -- some two million people -- are believed to have lost or been forced from their homes. This includes about half the entire pre-conflict Muslim population. About 1.1 million have sought refuge outside Bosnia, within former Yugoslavia, in Croatia, Slovenia, Macedonia and Serbia, as well as in other European states, principally Germany, Hungary, Sweden, Austria, and Switzerland. An estimated 810,000 are internally displaced within Bosnia (or refugees from earlier fighting in Croatia who fled to Bosnia), in especially grave danger, bearing the brunt of a harsh winter with inadequate food, clothing, medicine, and shelter, and still at imminent risk of extreme violence. Serbian forces in Bosnia have systematically destroyed the homes of Muslims who were forcibly displaced, making their eventual return all the more difficult and the extent of loss all the greater. Serb civilians from western Hercegovina have also abandoned their homes, some of which, in areas of Croat control, have also been destroyed. Serbs have also fled Sarajevo, fearing reprisals as well as shelling. Some 271,000 persons have fled from Bosnia and Hercegovina to Serbia.

Recent overtures towards the Geneva peace proposals from the self-styled Serbian parliament must be welcomed, but not overly valued. So long as the Serbian siege of Sarajevo continues, actions will speak far louder than words. A real ceasefire must be a precondition for real negotiations. Any autonomy plan must include the right of displaced persons and refugees to return to their homes and/or to be compensated for their losses. Any plan must also include firm guarantees for the protection of minorities and respect for human rights. Without adequate provisions for international enforcement, however, the outlook for successful implementation of a peace plan is dim.

Whatever progress is made at the peace table may take a long time to be felt on the ground. Movement on the diplomatic front should in no way result in a hands off attitude on the part of the international community with regard to ongoing allegations of atrocities and obstruction of humanitarian assistance. Any letting up of pressure would send precisely the wrong signal to those eager to continue their aggression and realize expansionist goals. The international community must attend immediately to the desperate needs of displaced and trapped civilian populations within Bosnia.

Genocide and "Ethnic Cleansing" The most striking aspect of the humanitarian side of the conflict in Bosnia and Hercegovina is that **unlike most refugee flows, which are commonly a by-product of war, the creation of civilian refugees in Bosnia is a major goal of the assault.** Serb forces intentionally target civilians for killing, rape, detention, torture, and other abuses. Likewise, Serb militia actively encourage those who survive to flee their home areas. Some have been fortunate enough to gain access to bordering states and thus have become "refugees." Those unable to reach neighboring countries and those refused entry to such countries remain in the limbo of the internally displaced. In either case, one goal of the Serb militia is achieved: ethnic

purity within regions they control. This is what has come to be known as "ethnic cleansing."

USCR staff have documented eye-witness testimony from Bosnians of actions that fit the definition of genocide in the *Genocide Convention*. These include: killing members of a particular group; causing serious bodily or mental harm to members of the group; and deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part. Such testimonies have also been gathered by human rights organizations such as Amnesty International and Helsinki Watch, as well as the UN Human Rights Commission and the U.S. government. Gross abuses of human rights and war crimes in the former Yugoslavia include murder, rape, detention, torture, and summary execution. The State Department's own human rights report for 1992 illustrates the horror:

Civilians were the primary targets of military action, making a mockery of the Geneva Conventions. Accompanying abuses of individuals and groups of non-Serbs took almost every conceivable form of torture, humiliation, and killing. The policy of driving out innocent civilians of a different ethnic or religious group from their homes; so-called ethnic cleansing, was practiced by Serbian forces in Bosnia on a scale that dwarfs anything seen in Europe since Nazi times.

The U.S. Committee for Refugees calls on the United States to request the UN Security Council to authorize multilateral intervention in Bosnia and Hercegovina to prevent and suppress genocide. In our view, such action is not only authorized under the UN *Genocide Convention*, but required by Article I of the *Convention*.

The sum of these crimes is such that they should have long ago provoked a forceful, determined response by the international community, acting through the UN, to take action "appropriate for the prevention and suppression of acts of genocide" as provided for under Article VIII of the *Genocide Convention*. To date, no such action has been taken—or, apparently, even contemplated seriously. The U.S. government's failure last summer to invoke the Genocide Convention, resulting in an internal dispute at the State Department, was a serious moral failure

that may well have contributed to the loss of life in Bosnia.

The international community, including the United States, is faced with a stark, moral imperative -- there can be no escaping its logic:

- the preponderance of evidence shows that what is occurring in Bosnia is genocide, as defined by the 1951 Convention on the Prevention and Punishment of the Crime of Genocide.
- when faced with the threat of genocide, there are only three choices, which can be pursued separately or in combination:
 - 1) an outside power or powers can intervene to prevent genocide and protect the threatened victims;
 - 2) the threatened victims can be provided with the means to protect themselves; or
 - 3) the world community can make escape possible by offering refuge to the victims and safe transit out of their life-threatening situation.

As matters stand now, the key governments in Europe and elsewhere in the international community have clearly rejected all of the logical choices available, preferring to muddle along with empty rhetoric, avoiding forceful preventive action and pacifying their publics' outrage with the smokescreen that they were pursuing an adequate humanitarian response to the victims. It has proven unwilling either to intervene directly to prevent genocide or to provide Bosnians with the means to defend themselves.

Protection in situ Specifically, we urge as one means of preventing genocide that the UN

Security Council declare "safe haven zones" for civilians **where they now live** in Sarajevo and in such central and eastern Bosnian towns as Travnik, Tuzla, Zenica, Visoko, Maglaj, Gorazde, Mostar, Srebrenica, Zepa, and Konjic. To wait until additional displacement occurs is ludicrous. More than 800,000 civilians remain in the major cities still under siege in central and eastern Bosnia. Without a more forceful and determined approach to protecting civilians and delivering humanitarian relief supplies, hundreds of thousands more civilians could die before the winter is over.

USCR can conceive of no effective and timely preventive action that does not involve a significantly strengthened multilateral military action to protect civilians in Bosnia. Multilateral ground forces and air support should be used to ensure the delivery of humanitarian assistance to safe haven zones and the protection of civilian populations at risk in those zones. Until the genocide is stopped, all other humanitarian interventions--while needed--are half-measures, doomed to take effect only after most of the damage is done.

We take no pleasure in advocating the use of force, and would be the first to warn against the dangers of becoming embroiled in a war there. But there are circumstances -- and this is such a case -- where force becomes necessary in the pursuit of humanitarian ends. Genocide is an extraordinary crime requiring an extraordinary response. We cannot sit idly by while a people are destroyed.

USCR does not believe that outside, multilateral force can solve all of Bosnia's problems. Its goal ought to be strictly limited -- to end the immediate threat of genocide and to save the lives of Bosnian civilians. The ultimate political solution in Bosnia, and throughout former Yugoslavia, must be arrived at by the people of the Balkans themselves with the encouragement and support of the international community.

Humanitarian Intervention More than 800,000 Bosnians are internally displaced-- forced from their homes, yet still trapped inside Bosnia. More than 100,000 have already died; and hundreds of thousands more could die in the coming weeks as the harsh winter wears people down and delivery of relief aid continues to falter. For many, survival depends on the assistance pipeline, which has operated, at best, in fits and starts. Adults in besieged Sarajevo are estimated, on average, already to have lost 30 percent of their body weight. Food deliveries to Sarajevo are currently averaging 100 tons per day, less than half of the normal requirements. UNICEF has reported that because of funding shortfalls, it no longer has any baby food for distribution in Sarajevo. UNICEF says that children in areas of heaviest attack are already showing signs of acute malnutrition, and that mothers frequently are eating half of what they need in order to make more food available for their children. Conditions are undoubtedly worse in isolated pockets that are completely cut off from contact with the outside world.

Although UN Security Council Resolution 770 calls for "all measures necessary" for humanitarian relief deliveries to reach needy populations in Bosnia, in fact, "all necessary measures" have not been taken. Lack of international support for its life-saving activities has placed the UN High Commissioner for Refugees (UNHCR) in the untenable position of having to beg and bribe Serbian extremists for permission to pass. This has not only seriously compromised the authority of UNHCR in Bosnia, greatly complicating its mission, but has also directly impeded the delivery of life-sustaining goods, in direct violation of UNSC Res. 770. That the international community has watched passively as UNHCR convoys have been shot at, blocked, and otherwise harassed is an unconscionable dereliction of its duty to back up its own Security Council resolution. By reversing Teddy Roosevelt's famous dictum -- by talking loudly and carrying a very small stick -- the international community has substituted impotent hand-wringing for strong and effective measures to counteract the defiance of illegitimate forces

obstructing its work on behalf of this victimized population.

What is needed now more than ever -- especially with recent reports of hundreds of civilian deaths from starvation in eastern Bosnia -- is for the United States and other UN members to implement Security Council Resolution 770, which authorizes the use of "all measures necessary" to deliver humanitarian relief in Bosnia. Clearly marked UN convoys should immediately be provided with significant air and ground military escort to travel on direct, all-weather roads to deliver relief aid. Any attacks on such convoys should be met with swift and forceful retaliation. Also, UN Security Resolution 781, declaring Bosnia a military "no-fly" zone, should be enforced that should provide the security necessary to organize an airlift to drop supplies to remote, besiege areas until land convoys can safely and regularly reach them.

First Asylum Of those who have escaped from Bosnia, many have found temporary refuge in other former Yugoslav republics. Of these, Croatia hosts the largest contingent, officially, some 324,000. However, the true burden on Croatia is even greater. With more than 250,000 Croatsians still internally displaced as a result of earlier fighting in Croatia, the government of Croatia opted, in September 1992, to prevent any new Bosnian refugees from entering Croatia, saying it has reached its capacity, and citing inadequate offers by third countries to provide temporary asylum. With Croatia's borders effectively closed, Bosnians fleeing Serb attacks and deprivations were forced to remain--without the possibility of asylum or protection--within Bosnia, in bombed-out towns still under siege by Serb militia. To date, this remains the case.

Slovenia, which hosts about 50,000 refugees, has also closed its borders to new arrivals who do not have letters guaranteeing their acceptance by third countries. In late November, the Slovenian Ministry of Interior said that between 70 and 150 asylum seekers per day were being turned back.

When large numbers of refugees are forced to flee one country for the safety of another, it is an accepted international practice that the country to which the refugees flee--the country of "first asylum"-- being the country most directly affected by the refugees' arrival, will have its burden shared financially and logistically by other countries outside the region. Croatia, for example, must spend approximately \$2 million each day to care for refugees and displaced persons within its border. Until and unless the financial, and therefore social, burden on Croatia is relieved through substantially increased financial assistance, as well as offers of temporary asylum or permanent resettlement, it can be expected that Croatia will continue to prevent persecuted Bosnians from gaining entry to its territory. For many, this could mean that they will not survive the winter. Such a breakdown in the principle of first asylum not only guarantees an immediate humanitarian disaster, but increases the likelihood that similar breakdowns will occur in the future with frightening consequences for those trying to flee conflicts and persecution for years to come.

Refugee Status In Croatia, Slovenia, Hungary, and other border states, Bosnian refugees have no firm legal status as refugees. In these and other European states refugees are being treated on an ad hoc basis, vaguely defined as "externally displaced people" or as having "temporary refugee status," terms that are absent from the 1951 Refugee Convention or other international legal instruments relating to refugees. They are left in an uncertain legal position, needing to worry whether they will be permitted to work or travel or whether permission to stay will suddenly be withdrawn. Reports of *refoulement* from Croatia and Slovenia, the forced repatriation of refugees, which is prohibited by Article 33 of the Refugee Convention, are a matter of grave concern. As a means of encouraging adherence to fundamental principles of refugee protection in Europe, the U.S. Helsinki Commission ought to act as soon as possible to clarify the legal status of Bosnian refugees, not later than at the upcoming CSCE meeting on migration, scheduled for April. The

CSCE should recognize that Bosnian victims of "ethnic cleansing" who have fled or been expelled from Bosnia are classic refugees according to the 1951 Refugee Convention definition, as persons who have fled their country "owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion." The Helsinki Commission should declare that ethnic cleansing is persecution based on religion and nationality, and that its victims ought to be fully protected by the Refugee Convention and other relevant domestic and international laws. Their rights as refugees ought not to be compromised according to the expediencies of governments.

There is particular lack of clarity about legal status for men who have fled former Yugoslavia who are deserters or evading military service. Although deserters and draft evaders are generally not looked upon as refugees, there is a provision of the *UNHCR Handbook on Procedures and Criteria for Determining Refugee Status* which considers them as refugees if the type of military action with which they do not want to be associated is "condemned by the international community as contrary to basic rules of human conduct." Given the building evidence of war crimes being committed by the parties to this conflict, we would urge that this military action be so condemned and that draft evaders and deserters be fully protected.

Resettlement of Bosnian Refugees In tandem with stronger measures to save lives inside Bosnia, we call upon the U.S. government to take immediate steps that will encourage Croatia and other states in the area to keep their doors open to fleeing refugees.

Throughout this tragedy, governments in the West have refused to aid directly those being abused and murdered. Likewise, the world has not seen fit to exempt the Bosnian government from the arms embargo in place in the region to allow it to protect its citizens. If we are unwilling to protect Bosnians, and if we are unwilling to permit the Bosnians to protect themselves, we

must, at the very least, work to keep an escape valve open for Bosnians fleeing for their lives. The escape valve, today, is closed, except for a trickle. Concrete steps need to be taken to open the escape valve, notwithstanding simultaneous efforts to protect Bosnian civilians in place so they will not feel the need to flee. Although not the only action that ought to be taken, the United States could play a constructive role in convincing countries of first asylum that they will not be left to bear the burden alone by making immediately available 25,000 resettlement places for refugees from the former Yugoslavia.

Outside governments, including the United States, have said that they are limiting their offers of resettlement so as not to contribute to ethnic cleansing. If such governments are serious about opposing ethnic cleansing, then it is within their power to stop it. If they are not willing to exercise that power, however, it is intolerable that their refusal to take in refugees should be allowed to block the escape of people who have been denied the right to defend themselves. **In our view, this makes such governments complicit in the act of genocide itself.**

Thus far, the U.S. government response has been less than token. For months and months it made not so much as a gesture to signal to our allies that we would be willing to share in the burden by taking in some refugees. Finally, in a belated response to pleas from the UNHCR and the International Committee of the Red Cross (ICRC), our government agreed to take in 300 former detainees and 700 of their family members. The response to the UNHCR/ICRC request was so late that ICRC was forced to suspend releases from detention camps in Bosnia that had been agreed upon by the Serb militia, and the inmates were forced to wait there longer.

The procedures even for the 300 we have agreed to resettle have been unbearably slow and bureaucratic. The State Department has shown itself unable or unwilling to shift gears in a situation that calls for flexibility and creativity, not to mention generosity. The State Department has plenty of excuses for its inaction; some even sound reasonable. But we are well beyond the

point where excuses can be tolerated. There are plenty of refugees who ought to be of "special humanitarian concern" to our government. Rarely has our government shown less interest in identifying such persons and bringing them to safety.

Refugees of special humanitarian concern for resettlement should include not only former civilian detainees, but also uprooted ethnically mixed families, and displaced female heads of households, particularly widows whose husbands have been killed as a result of the conflict.

Our government's inaction not only has hurt refugees themselves who we could have protected, it has given our government no credibility in international meetings to call upon other governments, particularly in Europe, to be more generous. When governments such as France and England have shown an unwillingness to take in even modest numbers of refugees, we have stood with them, creating an imbalance that has added to the burden of those governments, such as Germany, Sweden, Switzerland, Austria, and Hungary, who have been more willing to provide refuge. The leadership exhibited by the United States in Southeast Asia, where we helped forge a "comprehensive plan of action" to maintain first asylum that involved multilayered support for countries in the region through financial support and resettlement offers from outside the region, has been absent in the present crisis.

A targeted resettlement program, as part of a comprehensive solution, should be undertaken now. This in no way should be seen as rewarding the perpetrators of genocide. It is merely a recognition of the plight of those who cannot, under present or reasonably expected circumstances, return home. Therefore, the world must begin to accept the reality of their plight and the need for resettlement.

. . .

Today I am asking the Helsinki Commission to send a clear message to the new Administration and to the world community: The international community must take immediate and extraordinary steps to curb the genocide now occurring in Bosnia and to protect those uprooted people whose lives are at serious risk. If we do not, we send a message to the world on how to handle future refugee emergencies: Keep them out. Push them back, even if the tyrants and thugs that persecuted them are still in power. And we send a message, as well, to other aggressors now watching on the sidelines--of which there is no shortage throughout the world. They will know that they, too, can win, that bigots and despots can get away with mass murder of powerless people in a world where the *Genocide Convention* and other carefully wrought human rights protections once agreed to by virtually the entire world community are only scraps of paper. And then, Mr. Chairman, we all lose.